SUPPLEMENT TO
The Bombay Gazette.
BOMBAY—MONDAY, AUGUST 16, 1880.

BOMBAY.

TO-DAY.

Temple Bar, Concert 9 p.m.
Band, Bombay Volunteer Rifles, Esplanade Bandstand, this evening (weather permitting).

VESSELS ARRIVED.—The following vessels arrived on the 13th inst.—Puttialla (s), from Bussorah; Bedfordshire (s), Chittagong. Yesterday—Sidonian (s), from Liverpool; Malda (s), Calcutta.

VESSELS SAILED.—The following vessels sailed on the 14th inst.—Suliate, to Moulmein; Pachamba (s), Kurrachee; Lord Collingwood (s), Coast and Madras; Sumatra (s), Venice.

MUSIC AT THE ESPLANADE BANDSTAND.—The following programme of music will be played by the band of the Bombay Volunteer Rifles at the Esplanade Bandstand this evening (weather permitting) :—

March	Lucia	J. Schmuck.
Overture	Crown Diamonds	Auber.
Reminiscences of Donizetti		Arrd. Godfrey.
Waltz	Marie Wilton	Van Maanen.
Polka	Kutschke	Stasny.
Galop	Durch die Lufte	Lierer.

GOD SAVE THE QUEEN.

CONCERT AT THE TEMPLE BAR.—Programme of music to be played at the Temple Bar this evening at 9 :—

March	Petersdorf	Strauss.
Overture	Dichter u Bauer	Suppé.
O' bitt euch liebe Voeglein		Gumbert.
Waltz	Boccaccio	Strauss.
Potpourie	English	Leitbold.
Quadrille	Angot	Strauss.
Song	Buttercup de Pinafore	Sullivan.
Waltz	Harmonische Wellen	Ziehrer.
Cavatina	Anna Bolena	Donnizetti.
Galop	Vortaenzer	Sommer.

PRINCE'S DOCK.—The s. s. City of Baltimore left the dock on Saturday.

A PICK-POCKET.—Ismail Rahmon *alias* Ismael Emaum Khan was on Saturday last convicted by Mr. C. P. Cooper of stealing a purse containing Rs. 5 from the pocket of a Mrs. Hawkins while making purchases at a grocers shop, near the Crawford market. He was sentenced to six months' rigorous imprisonment.

CRIMINAL BREACH OF TRUST.—Jairam Ramjee, a *karkoon* attached to the Mazagon Police Office, was on Saturday last convicted by Mr. Dosabhoy Framjee, upon his own confession, of criminal breach of trust in respect of five tolas of gold, valued at Rs. 71-12, the property of Government. He was sentenced to twelve months' rigorous imprisonment.

CRUELTY TO ANIMALS.—The following is a summary of cases prosecuted by the agents of the S.P.C.A., during the week ending the 14th instant :—Horses, 6 lame, 1 broken knee ; bullocks, 2 lame, 19 sore necks, and 8 emaciated. Total number of cases 40 ; amount of fines Rs. 91. Included in the above is one Jadowjee Narayen (livery stable-keeper), who was fined Rs. 10 for working a lame horse.

FATAL ACCIDENT.—A Coroner's inquest was held on Saturday last at Nowrojee Hill on view of the body of Mulloo Cooshia, who died from the effects of injuries he sustained on the 11th instant at the *nagpunchamee* fair while in a merry-go-round. The following verdict was recorded :—"That the death of the deceased was caused by injuries received by his *dhotee* having accidentally become tightened round his neck in consequence of the ends of it having been caught in a revolving pole of a merry-go-round."

ILLEGAL POSSESSION OF OPIUM.—Chandia Mahomed, a labourer, was on Friday last arrested by police constable No. 284A at the Elphinstone Circle Gardens with nine tolas of opium in his possession. The prisoner stated that he found the opium lying behind a staircase near the opium godowns. Upon further enquiries it was ascertained that he had been assisting in weighing opium at the Custom House, but none of the opium merchants could identify the opium found on him as their property. The prisoner was on Saturday last charged before Mr. C. P. Cooper with having the opium in his possession, and being reasonably suspected of having stolen or fraudulently obtained it, and failing to give a satisfactory account of the matter, he was fined Rs. 50, or in default one month's rigorous imprisonment.

ADDITIONAL PASSENGERS BY THE HOMEWARD MAIL.

THE P. and O. Co.'s s.s. Sumatra, Captain R. F. Briscoe, sailed on Saturday last for Southampton with the Europe Mails and the following additional passengers :—

For Southampton—Major J N Steel, Dr and Mrs Boustead, Mr J Sutcliffe, Mr A Power, and Mr R Howarth.
For Brindisi—Mr E Hopper and Mr J H Boyce.

HIGH COURT.—AUGUST 14.

(Before the Hon'ble SIR CHARLES SARGENT in Chambers.)

ACTION FOR BREACH OF PROMISE OF MARRIAGE.

CADURBHOY CURRIMBHOY vs. DAWOODBHOY ESMALJEE AND ANOTHER.

THE plaintiff appeared on Saturday, before the Hon'ble Sir Charles Sargent in Chambers, and presented his plaint, which states that defendant had promised plaintiff his daughter Hassanaboo in marriage, and they had been formally betrothed according to the usage of the Borah community to which they belong. In consequence of this betrothal, it was agreed that certain ornaments, which belonged to plaintiff's first wife, who is deceased, should remain in Hassanaboo's possession till she became plaintiff's wife, and they are still detained by her. The defendants had thrown obstacles in the way of the marriage. Damages are laid at Rs. 2,000. His Lordship accepted the plaint.

APPELLATE SIDE.

(Before Mr. Justice KEMBALL and Mr. Justice F. D. MELVILL.)

REVERSAL OF CONVICTION IN A FORGERY CASE.

THE EMPRESS OF INDIA vs. SHANKAR MANJAPPA.

AT a Court of Criminal Sessions held before Mr. A. L. Spens, Session Judge, Kanara, the accused, an officiating forester of the Siddapur Taluka, was charged with another with having, in September 1879, committed forgery by fraudulently cancelling an "0" in an entry in the Taluka forest day-book and altering the same into a "2" without lawful authority, and having thereby committed an offence punishable under section 465 of the Indian Penal Code. The enquiry arose out of an anonymous petition, and it appeared that the accused had sold more than two candies of blackwood and made an entry in the books of less than a candy. The mamlutdar of the place made a personal enquiry, and found thirty planks of black wood in one Ramaya's house, and ascertained that Ramaya had bought the tree, out of which the planks were made, at an auction sale held by the accused. He was convicted by the Sessions Judge and sentenced to suffer eighteen months' rigorous imprisonment and to pay a fine of Rs. 200, or in default to undergo six months' additional imprisonment. The other accused was discharged. An appeal by the accused from the above sentence was argued before their Lordships by Mr. Shantaram Narayen for the accused a few days ago. Mr. Nanabhai Harridas, Government Pleader, appeared for the Crown.

Mr. Justice Kemball, in delivering the judgment of the court, said—The appellant has been found guilty by both judge and assessors of forgery in having fraudulently cancelled a cipher in an entry in the taluka forest day-book and altered the same into a "2" without lawful authority. About an alteration having been made, there is no doubt : but there is no direct evidence that it was made as alleged by the appellant ; and his guilt has been assumed mainly on his examination before the committing magistrate and in the Sessions Court, and upon the probabilities of the case. Both judge and assessors have laid great stress on these examinations : in fact, the judge held that they formed very strong evidence, of the appellant's guilt and inserted a copy of each examination as part of his judgment. On this part of the case, we may observe that, in our view of the circumstances, we are unable to concur in the conclusion drawn from these examinations, and we think it necessary to add that we cannot regard with approval the manner in which the examination in the Sessions Court was conducted. The whole case seems to us to turn on the question whether any fraud was perpetrated in the matter of the auction sale, for in the absence of satisfactory evidence of such fraud, not only does the ground, on which the judge based his assumption that appellant made the alteration, disappear ; but, as was admitted by Mr. Nanabhai in argument, if the sale was free from fraud, the alterations of the books imputed to the appellant would no amount to forgery within the meaning of sections 463 and 464 of the Indian Penal Code. On the point, then, of fraud, the case has been very fully argued before us, and we have been unable to discover any evidence to support the conclusion arrived at by the judge. The sale was made by public auction, and there is absolutely nothing to show, nor indeed is it even suggested, that appellant had any interest in either defrauding the Government or benefiting Ramaya, the purchaser. We observe that the committing magistrate (Mr. J. H. Todd) was of opinion that the sale was not fraudulent though his view was that appellant had entered a less quantity of wood in his report, to save himself the trouble of having to explain why it fetched so little. The evidence as to the circumstances of the sale is not very clear, but it is not, we think, proved that the appellant knowingly made a false report on the point ; and we incline to the view taken by his official superior, Mr. Stobie, that his fault was that of negligence in not having the wood re-measured prior to delivery, when he could have formed a correct estimate of the actual quantity sold. It may be that Ramaya had in his possession more wood than was entered in the report and other documents, though we do not with the judge find it to be matter beyond dispute that it was more than two candies. However that may be, it is evident that a large portion of the tree, which it is said was included in the sale, was quite useless ; and we see no reason to doubt the correctness of the committing magistrate's opinion that a fair value for the wood was paid in the position it was in the jungle. No doubt the appellant has acted very foolishly after the acting mamlutdar commenced to make his enquiries, and a certain amount of suspicion consequently attached to him, though there is much in the argument that, if he had had an interest in making the alteration, he would hardly have gone about it in so very clumsy a way. On the whole, we are of opinion that there is no sufficient ground for assuming that the appellant made the alteration in the forest book, and that if he did so his act was forgery. For these reasons we reverse the conviction and sentence, and direct the appellant's discharge. The fine, if levied, to be repaid.

DISTRICT COURT, TANNA.

A QUESTION UNDER THE NEW ABKARI ACT.

IN the Tanna District, before Mr. Herbert Birdwood, Judge, and Mr. Grattan Geary and Mr. Cooverjee Cowasjee, Assessors, a case is pending, in which Mr. Ahmedbhai Habibbhai claims compensation for loss under the Abkari Act of 1878, and a right to draw toddy from some 64,000 trees on his estate in Salsette, free of all taxes and fees whatsoever. The Collector of Tanna tendered one rupee compensation, and the case consequently came before the District Court.

Mr. Branson represented Mr. Ahmedbhai Habibbhai, and Mr. Newcome Fox represented the Government.

The case has been five days before the court, and has not yet been concluded. It is impossible, of course, to give a full report of the proceedings ; but the question at issue is of some interest, and the proceedings may therefore be briefly summarised.

The villages of Mullar, Mansa, Arreem, Canera, and Tulsi were in 1868-69 purchased by Mr. Ahmedbhai from the representatives of Messrs. Cursetjee Ardesheer and Jehangeer Ardesheer, who in 1819 took over those villages and some additional land from the East India Company, as the equivalent for land which the Company required in Bombay for public purposes. A clause in the deed of conveyance made over to the parties in question the right of all produce of toddy and other trees in perpetuity without payment of any tax, fee, cess, &c., whatever. Upon the passing of the new Abkari Act of 1878, the Government of India caused the Local Government to insert a proviso in section 65, to the effect that the villages in question and other lands held under the deed of 1819 should be compensated for any loss they might sustain by reason of the provision in the Bill, that all the trees producing fermentable juice should in future be subject to taxation.

At the opening of the proceedings, Mr. Fox said that the burden lay upon the claimant to make good his case of compensation, as the Government disputed his right to any.

The Judge said that the Court could not go into the question of right. The only question was the amount of compensation. Was the claimant hitherto possessed of a certain number of toddy trees free of taxation? How much did he lose for the confiscation of the right? The whole reference proceeded on the assumption that the claimant had rights and therefore the question to be settled was simply the amount to which he was entitled.

Mr. Fox demurred strongly to this view, and said that he could quote the speeches of members of Council at the time the Bill was before that body, to show that he was justified in disputing the claimant's right of compensation. He referred to a case in which Lord Westbury, when sitting as Judge, had referred to a speech of his own made in the House of Commons, when an Act was passed on which the case turned.

Mr. Branson said that it was absurd for the Government to say at first that one rupee was sufficient compensation, and then to say that there was no right to any compensation at all. The question was simply one of degree of amount.

The Judge said that the title was disputed, and therefore the reference should be withdrawn, and the issue tried in the High Court.

Mr. Fox asked for an adjournment to consult the Collector upon this point. The Government was decided to go on with the case, and it did not mean to waive its right.

The Judge :—You question the claimant's right. If so the Court has no jurisdiction.

Mr. Fox :—We do not dispute that he is in possession of abilities.

Mr. Branson then proceeded to set forth the particulars of the claim. He put in tabular statements showing that on an average a sum of Rs. 798 have been received for trees actually tapped, namely 11,000. This sum came to Rs. 19,000 at 4 per cent. interest on twenty years' purchase. But there were 64 400 trees in all, and valuing the right of drawing toddy free of tax from them at one anna per tree per annum, the result would be Rs. 4,000 a year, which, when capitalized on 20 years' purchase, at 4 per cent, would come to Rs. 119,962. Was one rupee sufficient compensation for the loss of all this? The Government had placed the tax at ten rupees a year on each of the trees tapped, and that sum capitalized might be fairly taken as the amount of the claimant's loss.

Mr. Fox said that ten rupees was not a tax on the trees, but was simply levied by an Abkari or excise regulation, which the *bhandaris*, or toddy-drawers, had to pay as fee.

Mr. Branson :—But until the Act of 1878 confiscated his right, the claimant could draw juice free of any tax or cess whatever.

Mr. Fox said that there was always a licence fee payable by the *bhandaris* or toddy-drawers. He contended that the trees were liable to excise or Abkari regulations from the first.

Mr. Branson said that before the tax of rupees ten, as now levied or leviable under the Act of 1878, was imposed upon the claimant he had to pay no duty whatever.

Mr. Fox :—The tapping cess has been paid by all *bhandaris*, even those tapping these trees, ever since 1863.

Mr. Branson :—Under what Act?

Mr. Fox :—The tapping cess is not put on under an Act.

Mr. Branson :—We do not care what Government chooses to exact from the *bhandaris* ; but we never paid a pie.

Mr. Fox said he admitted that claimant could not now draw the toddy himself. But he never did draw any himself. He always let the right of drawing to *bhandaris* who paid the tapping cess to Government. As he never made anything by his right, he was not entitled to anything as compensation for the loss of that right. The rights were doubtless interfered with to a certain extent by the Act of 1878, but they had also been so interfered with under previous Abkari Acts.

The Judge :—The Act of 1878 does not allude to that fact. It assumes the rights of the holders of these lands were intact up to the day of the passing of the new law.

Mr. Fox said that the tree tax was the only one from which the claimant was exempted, and that he had always been subjected to the Abkari Act regulations.

Mr. Branson :—We had a right to draw toddy from 66,000 trees free of all cess. Now we must pay ten rupees per tree. Does not that alter our position, and entitle us to compensation?

The Judge framed the following issues :—1st, Whether any or what tax or fees are imposable on trees producing fermentable juice or produce under Act 5 of 1878, which were free under the Hon'ble E. I. Co.'s deed of conveyance. 2nd. What is the total loss which may arise to Mr. Ahmedbhai by reason of the termination of his right of exemption.

Mr. Branson :—On the first issue the Collector can speak. He alone knows whether he will raise the cess beyond the ten rupees which he has now imposed. If so, of course the claimant's loss would be the greater.

The Judge said that the change under the Act seemed to him a most improvident one. The Government vertually imposed the tax on these trees, and then generously exempted their owner from payment of a large sum of money as taxes for ever.

Mr. Fox said that this was a most flagitious claim. Mr. Ahmedbhai never drew raw toddy to the value of a pie. He would not have to pay money now unless he drew toddy. No toddy, no tax ; and up to the present time he had drawn none.

The Judge :—Well, it seems that there is no tax if he does not use his trees. That may influence the amount of damages.

Mr. Fox said that he would be satisfied if that were borne in mind.

Mr. Branson said that it was monstrous to assert that if he possessed twenty houses, and did not let them, he was not to get any compensation if Government were to take them from him. The claimant possessed the right to draw toddy from those trees and might have used it at any time. The imposition of a ten rupee tax on each three simply confiscated his property.

Mr. Fox :—The ten rupees will have to be paid by the *bhandaris*, and not by Mr. Ahmedbhai.

Mr. Branson :—But they will now have to be paid by Mr. Ahmedbhai if he taps the trees himself, though that was not the case before.

At this stage witnesses were called by Mr. Branson to show the number of trees tapped, and the income earned from them, and the total number of trees on the estate. It appeared that the practice was to let the right to tap the trees to *bhandaris*. They hitherto paid a small fee of two rupees to Government for the right to pursue their calling. They also paid a small fee of eight annas or one rupee per tree per annum by way of rent to the owner. Evidence was tendered to show that on the Bhandoop estate held under a similar deed the proprietor employed his own servants to tap trees, and they paid nothing whatever to Government ; and it was argued that it was perfectly open to Mr. Ahmedbhai to have done the same, though it appeared that since the year 1863-64, the tapping cess was levied on those who tapped the trees on the land without protest on the part of the proprietor.

Mr. Fox maintained that the fact of the payment of this cess proved that the Government was within its right in exacting it, and that consequently the owner was bound to submit to the imposition of ten rupees instead of two rupees on all who tapped the trees, now or hereafter, and that consequently there was no claim whatever to compensation.

This argument was urged with considerable pertinacity, and to strengthen it a great number of official documents were read to show, what was not disputed by the other side, that the Abkari regulations affecting fermented liquor have been in force on the estate ever since it was given over to Messrs. Cursetjee and Jehangeer. Mr. Fox also argued that Mr. Ahmedbhai Habibbhai could have let the right to draw his trees, had he not desired to pose as a victim, and show that his income had been cut off. Mr. Fox cross-examined Mr. Ahmedbhai to show that there was no possibility of ever obtaining a sufficient number of *bhandaris* to tax the whole number of 64,000 trees. But in answer to Mr. Geary, claimant stated that some 4,000 or 5,000 trees might be tapped without any difficulty, and that the fee obtainable was one rupee per tree. The rest of the trees which were reserved could be tapped, as *bhandaris* were procurable. It was, he said, entirely owing to his being engrossed by other business in Bombay that he had hitherto been unable to develope the profits obtainable by working the toddy trees, and now this Act took from him the right to do so in the future.

The whole case for the Government, as urged by Mr. Fox, was this : that the deprivation of the right to draw the juice under an Abkari regulation should not entitle the claimant to compensation for any loss, since the trees had hitherto been, as a matter of fact, subject to all the Abkari regulations. The Government, he said, could extinguish any private right, or turn black into white, and the Act of 1827 had clearly imposed Abkari duties on fermented liquor, although by the terms of the deed it would appear that the holders were exempt from all taxation.

The Judge said that it was the policy of Government to respect private rights.

Mr. Fox :—Yes, that is the desire ; but I speak of the right of Government. It is the generosity of the Government that alone brings us here to discuss this right to compensation.

The Judge :—But you say that there is no right to compensation, although section 65 of the Act specially recognizes it.

Mr. Fox :—The section speaks of rights that *may* be affected. I say that they were not affected ; and the expression used does not show, the Government necessarily thought, that they would be affected. Sections 54, 61, and 66 of the Act of 1827 swept away all the rights of the holder with regard to fermented liquor.

Mr. Geary :—But that Act apparently did not reserve the right of the owner of trees to compensation. Act 5 of 1878 does reserve that right, and it is in accordance with that reservation that we are now sitting here.

Mr. Fox :—The right to enjoy fermented juice of the trees was the same as that alleged to enjoy the unfermented juice. I am producing official correspondence to show that the Government has all through done what it pleased with regard to fermented liquor, and that there was no question of compensation.

Mr. Geary :—But that is precisely what we do not require to have proved. For the other side has admitted it all along. Whether the Government had a right to so act is another question, which we are not concerned with. As a matter of fact, Act 5 of 1878, in taking from the owner his right with regard to the produce, gives him a claim to compensation.

Mr. Branson tendered a letter of the 19th May, 1863, from the Acting Collector of Tanna, declining to buy up the rights to the raw produce of the trees on the ground that the sum demanded was too high.

Mr. Fox said that it was not easy to prove a negative ; but if he could show that the original deed, however district its declaration might be that no tax, cess or fee whatever should be imposed, did not confer exemption from excise. The presumption would be that the extension of the excise law to include unfermented juice could not confer a claim to compensation.

Mr. Geary :—Not if the Act expressly reserved the right to compensation.

Mr. Fox :—The Act speaks of loss that may arise, I say that it has not arisen, and I must go on with my argument.

Mr. Geary :—But we are not getting on with the case. We are now no further advanced than we were when the plaintiff's case closed. It had been then admitted that the claimant possessed no rights since the Act of 1827 with regard to fermented juice.

Mr. Fox, however, continued his argument for another half day upon that point, until the Judge mildly hinted that it was getting rather long.

Witnesses were then called by Mr. Fox to prove that since the year 1864, *bhandaris* who were seen going up these trees were *puckaraoed*, if they had not a licence, and a list of convictions arising from breach of the Abkari regulation in regard to licences was put in. It was admitted that this was not done under the sanction of any Act whatever ; and Mr. Fox himself stated that, as a lawyer, he must say that it seemed to him that the right to interfere with these *bhandaris* might have been contested at the time. However he urged the fact that the right being not contested showed that the owners of the trees acknowledged that they were bound by the usual Abkari regulations. Mr. Fox also raised a number of technical objections to the right of Mr. Ahmedbhai to claim compensation as the representative of the original holders under the E. I. Company ; because Act 5 stated that those holders are their legal representatives, which in law meant the executor, or administrator, or in some cases the next to kin. But Mr. Ahmedbhai was only purchaser.

The Judge :—But the section speaks of "such persons as may be lawfully in possession of the said villages." Does not that recognize Mr. Ahmedbhai's right?

Mr. Fox:—It recognises his right as possessor of the villages, but not as holder unto the original indenture. The grant must be construed strictly in favour of the Crown, and against the subject.

M. Geary :—Is this a grant or a deed to convey property for value received?

The Judge :—It is expressly termed a deed of conveyance of certain property as an equivalent for certain other property.

Mr. Fox contended that the clause giving an exemption from taxation was a grant.

The Judge replied that no doubt the Assessors would take a commonsense view of the matter. Finding Mr. Ahmedbhai in possession of certain villages, they would try and arrive at the amount of the loss (which the words of the Act seemed expressly to contemplate) which would be inflicted upon him by the deprivation of his right to draw juice from these trees without taxation.

THE CORPORATION AND THE C. D. ACT.

THE adjourned meeting of the Corporation for final discussion of the C. D. Act was held on Saturday last, Rao Saheb V. N. Mandlik presided ; and there were present—Mr. James Bapty, Dr. T. Blaney, Surgeon Major H. Cook, Messrs. E. B. Carroll, W.T. Crockett, Col. P. Cox, R.E., Messrs. M. R. De Quadros, Charles Douglas, E.R. Freeborn, Grattan Geary, D. E. Gostling, James Greaves, H. E. Jacomb, W. Maidment, Captain H. Morland, Professor P. Peterson, Dr. John Pinkerton, Sir Frank Souter, Messrs. F. Vouillon, W. M. Wood, Atmaram Pandoorung, Bhugwandas Purshotumdas, Khan Bahadoor Byramjee Dadabhoy, Mr. Byramjee Nusserwanjee Servai, Dr. Cowasjee Hormusjee, Messrs. Dinanath Raghoonath Khote, Dosabhoy Framjee, C.S.I., Fazulbhoy Cassumbhoy Gangjee, Goculdass Jugmohundass, Hirjee Ardaseer Dady, Homejee Cursetjee Dady, Hormusjee Dadabhoy, Hormusjee Nowrojee Saklatwalla, Hurkissondas Narrotumdass, Jamsetjee Pallonjee Kapadia, Janardhan Gopal, Khunderao Chimanrao Bhedarkar, Cursetjee Rustomjee Cama, Hon'ble Mr. Morarjee Gocuidass, Messrs. Muncherjee Nowrojee Banajee, Nanabhoy Byramjee Jeejeebhoy, Nowrojee Byramjee Suntook, Nowrojee Furdoonjee, Nusserwanjee Chandabhoy, Pherozshah Merwanjee Mehta, Raghoonath Narayan Khote, Rahimtoola Mahomed Sayani, Shantaram Narayen, Tribhoowandass Varjeevandass, Venayekrao Ramchunder Luxmonjee, and Vandrawan Pursotumdas.

Mr. Pherozshah M. Mehta commenced the discussion by saying that the debate had lasted so long that he did not wish at that late hour to take up any considerable time of the meeting. Though there had been a considerable amount of impatience expressed about the infliction of long speeches by members of the Corporation, he thought it a very desirable thing that now and then, on occasions of some moment, they should state the reasons upon which they meant to give their vote one way or the other. He therefore did not think that he was unduly trespassing upon their time, if he addressed a few words as to the grounds on which he intended to give his vote on this occasion. In a consideration of the subject, it was very important, thought Mr. Mehta, to keep in mind the real scope of the two propositions before the meeting. The first, introduced by the Chairman and supported by Mr. Geary, expressed the inability of the Corporation to acquiesce in the request made by Government for the contribution of a sum of Rs. 15,000 towards the working of a C. D. Act in Bombay. There was a rider to this proposition, which it seemed to Mr. Mehta might at present be not considered, because in regard to that rider, which proposed that if a voluntary lock-hospital was established, the Corporation might come forward with an assistance of money, no practical step was meant to be taken at the present moment. Therefore that portion of the original motion, which was not, however, really affected by the addition was what was before them for consideration. The proposition then for all practical purposes came to this, "Whether we are prepared to express our inability to accede to the request of Government, and to contribute the sum of Rs. 15,000 towards the working of the Act." To this proposition an amendment was introduced by his friend Mr. Dossabhoy Framjee, and seconded by Dr. Cook. He (Mr. Mehta) wished to direct particular attention to that amendment, because with that charm of manner, which they were all aware his friend, Mr. Dosabhoy possessed in a preeminent degree, he had laid it before the meeting in a way which might lead away a good many corporators from the real point involved in it. He (Mr. Dosabhoy), with an apparent candour,—at least a candour which was most insinuating—had told them that his proposition was a compromise. Now, a compromise would really mean that some point was given up from the original request of the Government, and that something was conceded to the other side. Let them see if the amendment was of the nature of a compromise. The mover of it said that if the Corporation did not think it right to undertaking the working of a complete C. D. Act, let them give a small sum for the purpose of establishing a lockhospital. It seemed to Mr. Mehta that this proposition, so far from bearing a compromise, might best be described as of the nature of a masked battery. It really sought to fulfill the object of Government by making a grant of Rs. 15,000. He said that Mr. Dosabhoy would pardon him, if he compared him somewhat to the spider in the story, who asked the foolish, weak fly to walk into his pretty little parlour. Like the mealy mouthed spider, Mr. Dossabhoy told something to this effect ; "I don't want to acquiesce in the working of the C. D. Act, but look at my nice little hospital for the accommodation of unhappy women. Look at the supporter. I have behind my back, no less a personage than the first physician of the Sir J. J. Hospital and you can have no doubt that it is a real hospital. Mr. Mehta thought that if, like the simple little fly, they were persuaded to enter this hospital, they would be destined to see one of those transformations so common in mediæval ages in enchanted castles. As soon as they entered, the bolts and bars would drop, the hospital would recede in the back-ground, and they would find themselves in the midst of a huge combination of a demoralized police-barrack and a licensed brothol. They would really be giving their sanction to the working of the whole Act in its entirety. He (Mr. Mehta) did not say that Mr Dossabhoy was not able to put his proposition in a clearer light ; but looking at its true character, he must say it was not of the nature of a compromise as was urged by him very eloquently, very insinuatingly, and in one of the best speeches made before the Corporation.

Mr. Dossabhoy Framjee.—We have asked for a less amount than the Government requires.

Mr. Mehta replied that it made no difference, if the hospital was to be a part and parcel of the system which the Government had laid down for the working of the Act. Whatever the sum they gave, they would be giving it, not for the working of an independent hospital, but for the working of a C. D. Act. Whatever be the sum, the proposition came to this, that they were to contribute a sum of money for the purpose of working the C. D. Act. Then the question was, whether they could accede to the Government proposal. He for one could not but say that the Government could have none but the very best motives in asking them to contribute towards the Act. He thought that Government had carefully considered the question, and they were convinced that it would be a highly useful thing for the municipality to cooperate in the matter. However, there were two things which were required to be said in connection with the request. One was that it was most unfortunate, in the first place, that Government should have brought the proposition before them in the way in which they have done. They first established the whole system, and then they came to the Corporation saying, we ask—which really meant "we want"—you to contribute towards the working of the Act. But Mr. Mehta believed that a body so delicately constituted as the Municipality of Bombay should not be so treated. They were there assembled for self-government, and it had been said over and over again that the object in forming bodies like their was to promote self-government. They could therefore be said to work well only when they exercised their own judgment upon matters coming up for their consideration. It seemed to him then that Government had placed both themselves and the Municipality in a false position by establishing an Act in the first place, and then telling them, that they certainly hoped the Corporation would accede to it. But they all knew that Government were determined to work the Act, whether they gave it their sanction or not. It was insinuated that if they did not accede to the demand of the Government, they would withhold a contribution, which in justice and equity belonged to them, namely, the police grant. Taking that view of the case, it was suggested to members of the Corporation, it had been suggested to him personally, that supposing this was not a proper occasion on which they could co-operate with the Government, still under the circumstances when Government would in some way or other make them pay the sum, what was the use of placing themselves in a false position? Certainly, if they were in a position in which there was no alternative but to do a thing in some way or other, then it would be wise for them to give way to the demand of Government. But there was another consideration in regard to this question. It was true that Government had the power of withholding the police grant. But the Corporation were a legally constituted body, and they could go up to higher authorities. If their representations were made moderately, properly, and in a just and fair spirit, they had every reasonable hope of getting justice done, and of recovering the contribution to which they were justly entitled. (Hear, hear). Their decision upon the subject of making a grant for the Act, must be independent of any such considerations. If their convictions and judgment were against allowing a grant, they must say it straightforward in so many words. The Government proposal, though made from sincere convictions, was open to another remark. A great deal was talked about the evils of the disease, and the undermining of the social system which the prevalence of the disease was causing in Bombay. Mr. Dosabhoy Framjee, so far as he was concerned, deprecated the importation of any sentiment into the discussion of this measure ; but with his exception, most of the speakers in favour of the Act, and preeminently Dr. Cook, had chosen to look at the measure from a sentimental point of view. Dr. Cook appealed to them in the name of humanity, in the name of innocent children, and innocent posterity. He had told them the fabric of the whole society would be struck down by this fell and frightful disease, and it was for the purpose of protecting society from this immense evil that they should co-operate with the Government. But if the disease was of such fell character, if the medical authorities whom Dr. Cook had cited thought it to be so, how was it, asked Mr. Mehta, that Government, and especially Dr. Cook silent spectators of the evil for such a length of time? How was it that the dochor did not come forward when Government stopped the working of the Act on previous occasion? The fact was, Government, and their supporters now came forward with the proposal, not to carry out a professedly humane and disinterested object, but to make some provision for our sailors and soldiers. (Hear, hear). They have acceded to the representations of the commanders and officers of vessels, who complained that their men were catching the disease in Bombay. He (Mr. Mehta) did not say that this was not a very praiseworthy object,—that of protecting that expensive article, the soldiers and sailors. But should they consent to the first city in India as this Corporation was fond of boasting to be lowered to the rank of a mere garrison-town or naval port? The onus of proof lay upon the advocates of the Act. If they wanted them to spend their money in a certain way, let them prove that it would be spent in a good cause. Dr. Cook, in the address which he gave them with, he was obliged to say, the want of that scientific accuracy of which Dr. Cook boasted himself, and which according to time, reduced the state of a garrison town or a naval port for the interest of these classes? There were serious objections, firstly from a social and moral point of view, and secondly on grounds of utility, to the introduction of the Act in a city like this. But even if they were to confine themselves to the second ground, the burden of establishing that there were reality no such objections as had been brought forward those who opposed the Act did not exercise, said that the object of the Act was to repress vice in connection with the disease. But surely Dr. Cook must have forgotten to observe that before the introduction of the Act, the whole policy of the English law was against recognising prostitution. It did not even tolerate possively acquiesce in the evil. Perhaps Dr. Cook was not aware that according to law, no brothels could be kept. English common law applied to India just as well as it applied to England, and it allowed no resting place to brothels.

Mr. Jacomb. It has been a dead letter for a long time.

Mr. Perozshaw Mehta replied that the could not call it a dead letter. I often found respectable persons applying to the police magistrates to drive prostitutes from their neighbourhood (Hear hear). They were regarded by law and placed in the category of a nuisance. The law was in state of utter hostility—

Mr. Jacomb.—Spasmodic hostility.

Mr. Mehta said that such was the law laid down on the subject. He next turned to the moral and social arguments advanced against the Act to see whether they had been met. Dr. Cook was surprised that in a country where prostitution was a recognized social institution, the natives of the very same country should be found bold enough to say that neither law nor society should in any way recognise it. He (Mr. Mehta) was in his turn surprised to hear him say what he said upon the subject. It showed the remarkable want of scientific accuracy with which Europeans in this country observe the phenomena of native social life (Hear, hear). It was a pity—he did not cast it as a reproach, but it it was a well known fact that with all their good wishes and all their good intentions, unsympathetic Englishmen were unable to understand the real nature and character of the various phenomena which were seen around them, and the remarks of Dr. Cook afforded a clear illustration on this point. If Dr. Cook were to push his arguments to their logical conclusion, he must also regard Thuggeeism as a social, recognised institution, as being under the ægis of a so-called religion,—under the goddess Bowani. It was dangerous for Englishmen to venture an opinion on such intricate questions without diligently studying them. He would, however, safely leave this question in the hands of the Rao Saheb, who could deal with it best. But he must ask if there was anything more honorable than the fact that the people of India were emerging from a state of moral degradation, and were attaining a firm grasp of moral principle, under the influence of the West. And for his part he was proud to say the Rao Saheb had placed his objections, unflinchingly and firmly, on a high moral basis, and refused to recognise the Act on the ground that the Hindoo religion was not repugnant to the institution. He said that nothing was more honourable, nothing more creditable, for the natives of India than to view the question from this standpoint. Mr. Mehta also contended against the advocates of the Act that the absence of fear of consequences would promote vice, and the inspection would tend to harden women, and make them less amenable to reform. The argument about the reclamation of women might apply in England, where there were agencies for the purpose, but they could they not apply here. He was however free to confess that no problems were more difficult of solution than those arising from the interrelations of vice and disease. But it was not necessary to come to any decision upon the point, because other and nearer arguments had not been so much as attempted to be answered. Instead of answering them Dr. Cook, like the heroes of old, only boasted of his prowess, that his enemies might be frightened away. The description of a Goliath, calling out one from the camp of Israel, in order to smite him down, was most applicable to Dr. Cook himself. He (Mr. Mehta) was wanting in no way in respect to Dr. Cook, but would it avail any thing for him to say that the arguments of the opponents of the Act were all hysterical and feeble arguments, whereas those on his side alone were good and valid? But there was one material point which was lost sight of by Dr. Cook. It was this. If this Act be worked in the manner Government wished to work it, was it likely to do the good which was contemplated by them? A great number of authorities had been cited, a heap of statistics produced on either side, but these were delusive. These must be judged in connection with the circumstances which gave rise to them. Irrespective of arguments based upon them, Mr Mehta said that though he had not perhaps gone into the matter as thoroughly as Dr. Cook, he was able to say that even the staunchest advocates of the Act in England and Europe admitted that if the Act was to be worked efficiently, advantageously, it must be worked on an immense scale. In Paris, with all its machinery, the Act was a failure. There it promoted more evil than good. Unless there were three or four examinations in a week, he agreed with Mr. Raghunath Khote in saying that the Act would lure people into a false sense of security. It was preposterous then to imagine that with a weekly examination, which even was not possible in all cases, and with three inspectors, the Act could be worked efficiently in so large a city like Bombay. If opinion in England had veered round of late, and people were in favour of the Act, as was alleged, how was it that the Act was not introduced in London or in any large towns in England or on the Continent? Mr. Mehta concluded by saying that unless the Government were prepared to make costly experiments at the cost of poor ratepayers, unless they were prepared to work the Act on a grand scale, it was certain to fail of its effects. Neither Government nor the Corporation were prepared to work it on a scale of great costliness. Under those circumstances, its very advocates are unable to deny that it would work mere harm than good.

Dr. Pinkerton said that when the matter first came on he intended to give a silent vote, but since then certain things had arisen which led him to believe that if he gave a silent vote his action might be misunderstood. He was in favour of the Act, feeling that it was a good one. If it were introduced into Bombay in a proper manner he had not the shadow of a doubt that it would do a very large amount of good. As Mr. Mehta had said, the establishment proposed by Government was possibly insufficient, but if this was the case he felt sure the Government would form one by which the working of the Act would be effectually carried out. It was better to begin in a small way than to make such a huge blunder as was made before. Now a good deal of discussion had taken place in regard to the moral aspect of the case. He did not wish to enter into that discussion ; he respected very highly the opinions of those who thought there might be some encouragement of immorality in the introduction of an Act like this. He had no such opinions. Speaking as a practical man, as a medical man, and as taking what he believed to be a common sense view of the matter, he failed to see the slightest scintilla of immorality in curing diseased women of a disease so virulent that it could hardly ever be eradicated, once it takes hold of the system. Mr. Geary said the introduction of the Act would cause clandestine prostitution, but they had no Act in Bombay at present, and yet what might be called clandestine prostitution existed in every quarter of the city. If they could not stop it without the Act surely the Act could not aggravate it. It was as bad as it could be at present, and how the Act could add to it was beyond his comprehension. To cure women of the disease was a very high moral duty on the part of those placed in authority in Bombay, and it was just as incumbent on them to endeavour to abate this frightful disease as it was to endeavour to cure small-pox, for which purpose active measures had been taken. If a person went about the city whilst suffering from small-pox, he was liable to be proceeded against, and yet small-pox was not so bad as the other disease. He had visited some of the most important lock hospitals in Europe—in Glasgow, London, Paris, Vienna, and several other cities, and he could assure them, as a medical man, that in not one of those cities had he seen such terrible examples as he had seen in the wards of the European General Hospital, the Jamsetjee Jeejeebhoy, and the Goculdas Hospitals in Bombay. He said with all due deference to those who opposed the Act that almost any degree of interference with the liberty of the subject was justifiable in order to mitigate the ravages of syphilis in this city. When his friend, Dr. Cook, addressed the meeting of the Corporation the other day he made some statements regarding the communicating of the disease which he did not agree with. There was one particularly, in the opening part of that portion of his speech, where he said that vaccination had to do with it. He (Dr. Pinkerton) was for nine years head of the Vaccination Department of Bombay, and the gentle men working the Department with him were some of the ablest men belonging to the Bombay Medical Service, and whose industry and intelligence had never been surpassed in the whole history of the Medical Service of India. These men, at the time he was in the Vaccination Department as Superintendent General, took a quarter of a million individual observations of vaccination and never found a case of the kind.

Mr. Dosabhoy Framjee :—I beg Dr. Pinkerton's pardon. He is wrong here. I had the misfortune some years ago of losing a dear child which was vaccinated from the arm of a syphilitic child. In the opinion of Dr. Hunter, Dr. Steadmen, Dr. McKenzie, Dr. Fogerty and half a dozen of graduates of the Grant Medical College the cause of the death of my poor child was vaccination from syphilitic lymph. I had, I may say, feeling and warm correspondence on the subject with the Government at the time, and when the Bombay Legislative Council discussed the Vaccination Bill, I placed before it the whole correspondence which resulted in the prohibition by law of arm to arm vaccination.

Dr. Pinkerton said Dr. Turnbull was head of the department at that time. The quarter of a million observations to which he referred formed the largest experience recorded in the whole world, and there was no other anything like it. Other cases which occurred, and on which Dr. Cook based his opinion, happened in London and Paris. This was a subject with which he (Dr. Pinkerton) was perfectly familiar, from his own personal experience and from the literature on the subject which he had read in nearly every language in Europe, and he thought the whole of the evidence placed before the public on this matter would not bear the ordinary scrutiny of investigation. With regard to the remark which Mr. Dosabhoy made, he thought it would perhaps be advisable he should not touch upon it, as it was a personal matter, which in cases of this kind should be omitted. He might add, however, that he was not in Bombay at the time the investigation alluded to took place. With reference to everything else that fell from Dr. Cook he entirely agreed, both as a medical man and as a member of the Corporation. As a member of the Corporation he considered it was rather an injudicious thing to oppose Government in a step of this kind, which they would not take without grave consideration. (Oh, oh.) It had only been a want of funds that had prevented the Act being worked before. In carrying out such a step the Government were only acting on the recommendation of the Corporation which three years ago had affirmed that the Act was good. Mr. Mehta said the Act was introduced specially for soldiers and sailors, but he (Dr. Pinkerton) was not aware that such was the case ; indeed, he was of opinion that the Act was introduced for the benefit of Bombay in general. But even if they could save soldiers and sailors alone it would be doing a very good thing indeed. Our soldiers and sailors cost a very considerable sum of money, and if any of them could be saved it would be something. If they had not a great number of merchant seamen coming into Bombay the trade of the city would be nothing. Then another point which Mr. Mehta took up very strongly and with which he (Dr. Pinkerton) entirely disagreed, was, that if the Act were introduced it would encourage vice, owing to fear of the consequences of vice being lessened. Mr. Geary was also of this opinion. Whilst respecting the opinions of those who opposed the Act he protested against such a view being adopted by the Corporation. The fear of the results of any vice hardly ever restrained a man from committing it, and he thought this was particularly the case with regard to the matter before them. He need not go into abstract principles ; they had the thing demonstrated before their eyes—the fear existed and the vice existed. The answer to Mr. Mehta's statement was that Bombay was vicious notwithstanding there being no Act, and the symptoms here were worse than in almost every other city in the world, and the calling was practised to an extent probably unequalled in any other large city. Until men were guided by higher and holier motives than fear they would never be restrained from this particular vice. (Hear.) The provisions set forth in the *Government Gazette* were not quite perfect, but when it was pointed out to the Government that the expenditure was too small, the Government would act in accordance with the views of their responsible advisers in this matter, and make the arrangements more complete. He hoped no one would abstain from voting because the Act, on the face of it, did not appear to be sufficient.

Professor Peterson said that like Dr. Pinkerton he would have preferred to give a silent vote but for the stress which had been laid upon the conflicting objections to the Act as humorously pointed out by Dr. Cook. Whilst recognising the variety of those objections he could not agree with Dr. Cook that they were self-contradictory, still less would he admit that if they were self-contradictory they might therefore all be set aside as worthless. Dr. Pinkerton's remarks increased the desire he felt to say, very briefly, why he opposed the introduction of the Act. In the first place he was disposed to take what he might describe as a constitutional objection. He presumed they might gather from the action of Government in this matter that they were of opinion that the Act, as described in the *Gazette*, contains a purpose on which Municipal funds may fairly be spent. Now if that was the opinion of Government he considered that the Corporation were entitled to a hearing on the subject before the Act was published in the *Gazette*. He was sorry to borrow from his friend opposite a phrase which was peculiarly his own, but he was afraid he must point out that the Corporation were "guardians of the public purse." Government had laid down that in their opinion the Corporation were the persons to collect and spend Municipal funds. He did not for a moment contest the right of Government to form the opinion that the purposes of the Act were purposes on which Municipal funds might fairly be spent ; he did not indeed deny their right to override a decision of the Municipality on a point like that, if they should see cause for doing so ; but he did object to their arriving at a decision such as they had taken without any reference to the Corporation, and to their action in gazetting the Act before they had before them what the mind of the Corporation on the matter was. In reply to this it would no doubt be said that the Corporation had already agreed to the principle of the Act, but it was obvious in the first place that Government and the Corporation on the previous occasion, had equally concurred in allowing the Act to remain nevertheless a dead letter. He believed also, though he did not speak with full knowledge, that there were material points of difference between the present proposals and the last one. Then again he was not quite sure that he, as an individual member of the Corporation, was bound to stand by a vote given three years ago. The action of Government in this matter, if he might speak with due deference, appeared to savour of—he did not make a general accusation against the Government regarding their conduct towards the Municipality, but action like this, if followed, would amount to a blowing hot and blowing cold upon Municipal institutions which could not lead to any good results. Passing from what he might call a formal objection he desired simply to say that he adhered to the objection taken taken on the ground that the working of the Act was to be entrusted to the police. He was unable to bring himself to believe that if this Act was entrusted to the agency provided for it it would be otherwise than useless and oppressive. He did not desire to expound or attempt to enforce this argument: that had been done sufficient by other speakers. Perhaps he had no right to give authorities whose names he was not at liberty to cite, but not being a medical or police expert, he might perhaps be permitted to say that he had taken some trouble to consult men in whose knowledge and judgment he could rely. He had the word of a doctor of no small reputation in Bombay that the Act would be useless, and he had also the opinion of a Sessions Judge, whose reputation was second to none in the Presidency, that it must prove very oppressive.

Dr. Cook asked if the learned judge referred to was an authority on the subject. If his opinion was used as an argument he should be made an authority.

The Chairman—I think you are not in order, Dr. Cook.

Professor Peterson said it might be made a good point in casuistry as to whether he was bound to abstain from such a reference if he could not give the names on which he was not prepared to give an immediate answer. As the opinions were given to him privately he felt he could not mention the names, although he had no reason to suppose that the gentlemen in question would object to it. He had, however, he hoped made it sufficiently clear that his object was simply to explain his own vote.

As there was, at this stage of the proceedings, some conversation going on among two or three members of the Corporation, the Chairman expressed a wish that it might be discontinued.

Professor Peterson, continuing, said the objection he was referring to had not been fairly treated. Dr. Cook, Sir Frank Souter, and Dr. Pinkerton said that if the Act was found to be insufficient in some respects satisfactory alterations would no doubt be made, but if there was any chance of such alterations he would much prefer to see them made before he gave his assent to the Act. (Hear hear.)

Dr. Blaney said that he had been prepared to give a silent vote, because the subject was one of those which he did not at all like. He would rather that, when the wisdom or the pleasure of Government thought it necessary to introduce a measure like this, which must of necessity call forth a very great deal of opinion of a diverse character, the legislature should proceed as a legislature, and that when it was going to put a law in force, it should simply do so and ask the Municipality to make their contribution in accordance with the law. The Corporation would remember that Act 14 of 1868 was promulgated in that year with the primary purpose of improving the health of soldiers and sailors in this country ; and on that occasion it was never intended that it should apply to Municipalities, especially those of a large city like Bombay. (Hear, hear.) Dr. Blaney read certain portions of the English Act of 1868 to show that the principle of the Indian and English Acts were alike, in that they especially provided that the general revenues of the State should defray the expenses of the working of this Act. Now that the Government were going to introduce the Act a second time throughout the whole city, they should act in the spirit of these measures, which did not make it imperative on the Municipality to contribute its funds for the purpose. He (Dr. Blaney) asked the Corporation to remember that the case was not quite clear, if gentlemen on one side could put together a lot of statistics to prove one point, and those on the opposite side could put together another lot of statistics to prove the opposite point. It would be remembered by them that when Mr. Dossabhoy Framjee, with that enlightened public spirit for which he had always given him credit, brought forward a proposal for compulsory vaccination, which had now been extended throughout the whole of India, they neither disputed, nor argued, nor appealed to facts and figures to prove the case for or against. They saw that the advantages of vaccination were an undoubted, fact which medical science had established and consequently they at once passed a resolution recommending Government to frame a Compulsory Vaccination Act in this city. If the case under consideration were as clear, they would act in the same way. Nay, if the wisdom and propriety of introducing the Act could be clearly established, if it could be shown conclusively that it improved the health of the public, then he had no doubt but that they would all accept the measure like one man, and contribute, not a moiety only, but the full expenses required for its working. (Hear, hear). As it was not the duty of the Corporation to make laws, so it was not their business to discuss whether the C. D. Act was a good law or a bad law ; because it was never referred to them by the Government, which it certainly ought to have been, as was very forcibly pointed out by Professor Peterson. Dr. Blaney asked the Corporation to arm themselves with that common sense, which was a remarkable feature in Englishmen, to consider the case which the medical authorities, about whom, be it remembered, he wished to speak with the utmost respect, had placed before them. But he must say that he could not reconcile two statements in Dr. Cook's most instructive address. While Dr. Cook said, and he (Dr. Blaney) knew that it was Dr. Cook's belief, and teaching, and practice, that the disease, when once it got into the system, was most intractable and almost ineradicable, he in the same breath quoted from the Calcutta report to show that syphilis in that city was well nigh obliterated since the working of the Act.

Dr. Cook remarked that if Dr. Blaney were to refer to page 65 of the report he would find that shanker was there said to be almost obliterated.

Dr. Blaney said that be that as it may he would not stop to trouble the meeting with medical arguments upon the point. What he wanted to insist upon was that the rules promulgated by Government for the purpose of carrying out the Act did not satisfy them for reasons already mentioned by him. The main question before them was whether the Act should be tolerated, if not encouraged, as a social necessity, and fed from the municipal exchequer, or whether they were prepared to regard it as a social pest, which must at an early date be extinguished. Government looked simply to the treatment of disease, and the reduction of venereal cases. But looking at the moral question relating to the absence of fear of consequences he must say all the speakers who had referred to it had exercised much play of imagination, and made little attempt at solving it. The speaker who came nearest to the clearing up of this problem, was Mr. Mehta. He might refer to a case which was to the point. During the working of the previous Act, as he was once on the public road, a gentleman of education and good position came up to him and said "Mr. Blaney, you and Dr. So-and-so are a brace of impostors." (Laughter). He was in a state of excitement, and he (Dr. Blaney) believed that he was very ill. He tried to soothe him, and upon asking him what he had done to deserve the epithet, he replied that upon the strength of a certificate dated that morning, he was foolish enough to make a certain visit, and incur the penalty which he was now called upon to pay. (Laughter). Dr. Blaney proceeded to say that this vice was attended with drunkenness, dissociated. But Sir Frank Souter had gone on adding grogshop after grogshop, in the city, and it was the grogshops which led to evil. He hoped that the day would come, when the habits of the people would be made more temperate by a considerable reduction of these shops, and the treasury would cease to derive an income from this source. As to the expenses for the working of the act he said that it might be made self-supporting as the Town Council had decided on a former occasion. If a revenue was derived from opium, by demoralising the people of China, and destroying their infants,—a class of victims for whom Mr. Jacomb seemed to have such a great regard, and over whose memory he asked them to shed a sympathetic tear,—there was no objection in their deriving a revenue from this source as well ; instead of contributing a farthing to support a doubtful measure, it was better for to apply their funds for providing a fever hospital. Seeing that in the last three years, there had been over 16,000 deaths from fever, there appeared to be a crying necessity for establishing one. Dr. Carter, a very high authority upon the subject, Dr. Cook and others, were perfectly alive to the necessity. Very much of the fever was curable and its ravages could be effectually checked. He would bring the subject before the Corporation at a future date, in the meanwhile he would simply conclude by saying that it was a subject which required their earnest attention.

The Chairman said :—Before saying a few words in reference to what has occupied the attention of the Corporation for a considerable time, there are two matters of a somewhat personal nature to which I would like to refer. A remark has been made by Dr. Cook, the meaning of which I have not quite caught. I did not wish to disturb Dr. Cook in his address, but the remark was one which I feel sure Dr. Cook if he sees it in the light in which I do, will do what he can to explain himself. He said, in the course of his remarks with regard to a statement put forward by some of those who opposed the Act, that the statement was fallacious, and he might almost be justified in calling it "mendacious." If Dr. Cook means that those who oppose this amendment are making "mendacious" statements, I beg leave to say that that is a word I have not usually heard employed in such discussions ; therefore I ask him if those who oppose his motion are mendacious.

Dr. Cook :—I think I need hardly explain that what I meant was that the statements themselves had falsity in them ; as to applying it to the opponents of the Act I never thought of such a thing.

The Chairman :—The very reason why I put the question to you was that I thought you could not have meant to have acted in a spirit contrary to that in which the whole discussion has been conducted, and to have implied that those who opposed your amendment were capable of misconstruction. There is one more question which is a departmental question, and in reference to which Dr. Cook, in regard to the failure of the Act, had thought it was due in a great measure to the *personnel* of the department. I wish to ask Dr. Cook distinctly whether he means that it was Dr. Knapp's administration which failed.

Dr. Cook :—I am sorry I am called on to make any more decided statement.

The Chairman :—Was it Dr. Knapp?

Professor Peterson :—Is it in order for the Chairman to call a member of the Corporation to order on account of what was said at a previous meeting.

The Chairman :—I am not calling Dr. Cook to order, I am simply asking him a question as to what he meant.

Dr. Cook :—It was in my opinion and in the opinion of Dr. Hunter that Dr. Knapp was unfitted for carrying out the Act, but I do not speak with reference to his medical ability.

The Chairman, after some further remarks, said :—We have now before us a proposition submitted by myself and an amendment submitted by my friend Mr. Dosabhoy. I have just read the only sentence of the Government resolution, which states that material public benefit had been derived from the Act during the comparatively brief period in which its provisions were strictly carried out. The evidence before us, I submit, is exactly the other way, or rather there is no evidence before us that any benefit has been derived. The evidence is that there was a failure in the administration, and this was according to the evidence of Dr. Cook. The Inspector General of the Medical Department states he can say nothing *pro* or *con*, and the evidence of various medical gentlemen who were consulted has not been so much as referred to either by my friend Mr. Dosabhoy or by Dr. Cook. I read that evidence in my opening speech and will not, therefore, refer to it further. Now I will take one of Dr. Cook's first remarks, which is that the "Act will confer great benefit on the inhabitants of Bombay if the Government resolution is properly carried out." Speaking simply in regard to the administrative feature of the present arrangement, I put it to the Corporation whether, whatever the administrative faults of Dr. Knapp may have been, such a highly trained officer, with a large staff, failed in carrying out the C.D. Act on the last occasion, is it to be supposed that it can be carried out by gentlemen who have had no training in the classes of the Grant Medical College. I speak subject to correction, but I believe the gentleman who is gazetted chief medical officer in charge of the Act has not passed any of the examinations which either the old graduates of the College or licentiates of medicine and surgery passed either before or since the establishment of the University. Now, if this matter is such a serious one, and if it requires such long observation and patience to deal with it and if it is only specialists who can speak on it with, authority—for I see even an eminent man like Sir William Jenner declines to answer certain questions on a point connected with constitutional syphilis on the plea that it was not his study—that being the case, is it not trifling with the Corporation to sanction an arrangement of this kind and place our funds at the disposal of Government—I leave the constitutional point alone at the present—towards the working of an Act which on the showing of the medical authorities themselves involves greater risk of failure than it did on the last occasion?

Dr. Cook said it appeared he had not yet been fully understood upon this point. The Rao Saheb had instituted comparisons between Dr. Knapp and Mr. Anderson, but it was not with reference to Dr. Knapp's professional ability that he spoke, for he was far more fitted to treat cases than Mr. Anderson, but it was simply in the administration of details and the making of the Act that he referred. These matters were totally unconnected with medical capacity.

The Chairman :—I am glad the force of my remarks has been further confirmed by what Dr. Cook has said ; and in this manner I am glad that the professional knowledge and capacity of Dr. Knapp, which might have suffered, does not now suffer. I submit it to the consideration of my colleagues that if a disease like this requires to be treated, and to be treated scientifically, the officer at the head of the department ought to be a man of more varied learning and ability even than Dr. Knapp.

Mr. Cowasjee :—It is under the superintendence of the Surgeon General. Mr. Anderson is to be simply house surgeon to the Lock Hospital.

The Chairman :—Dr. Cook will bear with me when I say that we don't know what we are asked to spend our money on. We are really nowhere in the matter. He interrupted me with the best intentions, but I must say that if we cannot accept the arrangements of the Government as notified in the official *Gazette* we are nowhere. If Mr. or Dr. Anderson, or whatever his official rank may be, is not fit to be entrusted with the supreme control of the Lock Hospital arrangements, then we are wasting our money to pay a gentleman who has nothing to do with the medical supervision of the Act. I should not have gone so far, but after the remarks made, I must say we do not yet know what the administrative working may be. No doubt the Inspector General is the highest medical authority in the Presidency, but is it to be pretended that every single medical institution in the island can be personally superintended by this officer? Are we asked to believe that this must be the arrangement which Government in their wise resolution have sanctioned. I think it is simply making the whole thing a farce. Then we have been told in several speeches that, inasmuch as three years ago, the Corporation gave its sanction to the expenditure of a certain sum of money on the C. D. Act, or the introduction of it, it is our bounden duty to do so now. I have been anticipated in speaking against this argument by the able remarks of Professor Peterson, therefore I will not go into this part of the subject. Dr. Blaney asked you to remember that what was then determined is the very opposite of what you are now asked to do. The Corporation of that day wisely or unwisely said that the Act must be worked and might be made self-supporting, or as my friend Dr. Blaney put it, that those who wanted to indulge in this kind of thing ought to pay for it, the poor ratepayers not being taxed for the purpose. That was all that was determined three years ago, not without a struggle in the face of some opposition which at that time failed. It is now for you to consider whether you are going, not to make the Act self-supporting, but actually to make a present of Rs. 15,000 from the Municipal purse in order to—in order to what?—to give assistance to those who indulge in vice. I am told this is a sentimental objection, but it is one, hard to be got over. I give honour to my friend Dr. Pinkerton for kindly saying what he did of those who had these sentimental objections. I would ask you to

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bear with me when I point out to you only for one moment the line taken by Her Majesty's Government in regard to such measures. The Home Secretary Mr. Bruce, speaking in 1872, as an official member, spoke as follows :—"There was no doubt that the proposed extension of the Acts to the civil population led to the agitation, which, from that time almost to the present, raged throughout the length and breadth of the land. An association was formed, promoted by medical men, and having many branches all over the country for the purpose of advocating the extension of these Acts to the civil districts of the country. Then the opposition arose, founded first of all on the opinion that these Acts invaded private liberty ; secondly, because they appeared to give legal sanction to prostitution ; thirdly, because they tended to promote immorality among men ; and lastly, because they had a tendency still further to harden and degrade fallen women themselves. However, there could be no question whatever that the public mind had been very deeply moved, and the Government were anxious, on the one hand not lightly to abandon a course of legislation, which, in their opinion, was working very considerable good, and on the other hand, proper enquiry should be made into their operation. They therefore appointed a Commission in 1870, which reported towards the middle of the year 1871. It recommended, by a large majority, first of all the repeal of the clause, which authorized the periodical examination women ; secondly, it recommended the re-enactment of the Act of 1864, which had been repealed because its operations were extended by the Acts of 1866 and 1869, but such re-enactment would have returned to the principle of compulsory examination which the Committee had already decided against ; it also recommended that other legislation should be passed in fact, that the whole of this legislation should be, as might be rendered, available by the civil districts throughout the country, as well as the naval and military stations. He would say a few words as to the result. The commissioners were called to report, not only on the physical results, but also on what appeared to them to be the moral effects of the Acts. On both points there had been, and still was, considerable difference of opinion. Not denying that there did exist grave objections to the Acts, some occasional incentives to immorality, and that the system of examination might have a hardening influence on women, he might say, that the conclusion he arrived at was that the effect in preventing women from entering into a life of prostitution was so great that the moral good prevailed over the moral evil. When he stated that, as his own opinion, he must admit that many persons, for whose opinion he had the greatest possible respect, entertained a different opinion ." I will not trespass more on your time with quotations on this point. I think this is the line my friend, Dr. Pinkerton, pointedly followed to-day. No doubt he differs from those who like myself hold that the Act will have an immoral tendency, but we can each hold our own views, and it is for the Corporation to say what views they will carry out. Now with reference to Dr. Cook's statement as to the Hindu religion sanctioning prostitution. I say that Dr. Cook can know but a very fractional part, if anything at all, of the Hindu nation. I am surprised that he, even on the authority of an eminent judge of our local High Court, should have made the statements which he put forth on this matter at our last meeting. Every city in the world has its evils, and there are sores which no amount of—lecturing, I was going to say—attempts at reformation have hitherto blotted out. If we have infanticide in India, we know that, unhappily, from different causes there is infanticide on the other side of the globe. We have things like baby farming here and we have worse things which are also found in other parts of the world. I merely make use of these facts to illustrate a point of argument which was so forcibly placed before you by my friend Mr. Mehta, who, I am sure, gave me more than my due when he said what he did. The particular subject alluded to by Dr. Cook and such like are mere social excrescences and have as little to do with Hindu society and religion as moral or social evils have in any other part of the civilised world. If any of my friends can show me an authority for holding that the Hindu religion sanctions prostitution, I should feel it my duty as a man of education to say that that authority had erred. After the humble studies of more than 30 years, and the light which I have been able to derive from contact with the most eminent Sanscrit scholars in this country, if not in Europe, I am in a position to say that the Hindu religion never threw its cloak on such practices. (Hear.) Then we have been referred among other things—I will not touch upon professional evidence, but will leave it unanswered as far as it goes—to what has been said in Parliament by responsible members on both sides. I have shown you that even such an eminent personage as the President of the Royal College of Physicians is not sure as to the effect of these examinations. All I have to do, as a man of common sense, on the evidence before me, is to ask myself what ought we to do with the money of the Corporation. Here is an analyisis of the evidence of Dr. Drysdale taken before the Contagious Diseases Commission. Dr. Drysdale being examined, stated that he thinks the recognition of prostitutes as a particular class, licensed to exercise an immoral profession has altogether lowered the tone of morality in France, and he believes the periodical examination to have ruined the sense of shame among the Parisian women. As regards the "improvement" of the women in the Lock Hospitals our Health Officer, in his remarks which appeared in the Municipal Commissioners's Report for 1876, says :—"The aversion of prostitutes to Lock Hospitals is very great and deep-rooted. This aversion is equally general and strong, whether we look to the East or to the West. Its causes deserve the most careful consideration, although a few may put under detention in hospital for diseases which they consider trivial ; the advantage of an hospital in the way of medical relief, and as an asylum, are too numerous, not to be recognized by most women. Then, to what is to be ascribed this dislike, to what of all other places there ought to be no dislike—hospitals? I believe the causes of this aversion are to be sought for in the management and discipline of the hospital rather than in the inconvenience of forcible medical relief. No class distinction are recognized in the Lock Hospital, the women are too often humiliated in little ways, and not unfrequently they are worried by the attempts of pious persons, enthusiastic to effect their conversion or reformation. If they are European women, on every side they turn to they see cards reminding them of their hateful occupation, of punishment in this world, and of destruction in the next. Is it unnatural they should dread entering asylums in which such fearful remembrances are awakened ?" So much for the reformatory part of the Contagious Diseases Act administration. Now it was stated by Mr. Dosabhoy on the authority of the *Lancet* that a great deal of good had been done in few towns, or rather ports and camps he might have said, where this Act has been introduced. The Chairman then passed on to refer to the state of things in respect of contagious desease in a city which was understood to be the centre of civilisation—Paris. In regard to Paris, he said M. Le Cour, the principal officer who works the Act there, says he is at last compelled to refer to what I am now going to draw your attention to. I am about to quote from the well known *Westminster Review* for 1876, and this small extract gives the pith of the whole subject. It is as follows :—"M De Cour says : We must cherish the hope that the rising generation will be better protected by religious education, by the law, by instruction, and by domestic solicitude and authority, from the seductions which present themselves everywhere—in the street, in the workshops, in the drawing-room, in books, and at the theatre, and which still intensify their manifestations in every form of that luxury of show, and tinsel, which characterises our age, and which the mourning over our national trials has not made us abandon." If this is the remark which follows an administration of many years, I simply ask you in this year 1880 to pause before you take this leap in the dark, and make such a change in regard to the civil administration of this great dependency of the British Crown. You have the opinion of the Sanitary Officer to the Government of India in regard to camp lock hospitals. There women are registered, and yet Dr. Cunningham says that though he has not yet been able to arrive at the true cause, they had failed, but I have nothing to say against the Government working the Act in their camps in such segregated places where the general population has no access to such institutions, and where they do not become part and parcel of the social system of civil society around us. After referring briefly to the physical aspect of the matter, the Rao Saheb proceeded :—The ground upon which I base my opposition to the Act is as regards the civil population. It is a most unusual proceeding, I will not use any stronger term. I do not complain of regulations being made in camps, but as regards the general public we have a right to be heard on the matter, and I do say it is an innovation of a very—to use the mildest term—injurious character, and the influence of which on the rising generation can hardly be calculated at this distance. If a philosopher like Mill can say that there is a degradation below that of prostitution in Europe, I say, on behalf of my countrymen here, that such exhibitions as we read of in regard to the cities of Europe are practically unknown, and by making these institutions part and parcel of our working political and social system we shall be taking the first step towards introducing some of the worst of these evils. It has been said that the agitation against this Act died out four years ago, as since then there has been no debates in Parliament on the subject ; but I may point out that in 1879 a Committee of the House of Commons was proposed in relation to the working of the Act. I may also point out that so far from the agitation, if you like so to call it, having died out, the movement has spread over the whole of Europe. A medical gentleman, Dr. De Cunha, sent me yesterday a paper published at Rome, the *Medical Review*, dated 4th July, 1880, which contains an article on the C. D. Act and gives the information that the second conference, concerning the evil under discussion, wil be held at Genoa. Perhaps this will show my friends who do not agree with me that, instead of the movement being limited to the United Kingdom, it is fast spreading on the Continent. This is also conclusively shown by the statements made by Professor Amos, Professor of Jurisprudence in the University of London, and who is not likely to be at fault in such a matter. That being so, it is idle to say that European sentiment on the subject has changed. The details which Mr. Geary gave have really not been answered, and on such an uncertain subject, with regard to which half the profession seem to be on one side and half on the other, we are asked to waste money. I believe it to be merely a professional experiment, and speaking for myself I believe it to be eminently hurtful to the general community. (Hear.) If women with the disease have to be helped, by all means give them assistance, but we can see from the reports of our own Health Officer whether without a stretch, a considerable stretch of official authority, and we know what that means, certainly, in this country, it is or is not an invasion of the liberty of the subject to work this Act the results of which are certainly doubtful and which are in no case absolutely certain. I see in the *Bombay Gazette* to-day the opinions of several medical authorities given in Mr. Herbert Spencer's "Study of Social Science," and those authorities show that the dangers of this disease have been fearfully exaggerated. After a few further remarks upon Mr. Spencer's work, the Chairman said :—Unless you are sure that a lock hospital will do incalculable good and no harm, such as the fever hospital advocated by my friend Dr. Blaney, I think you ought to pause before you vote away the ratepayers' money in this manner to help those who suffered in consequence of their vice. Why should the poor of Bombay be mulcted in order that somebody's vice may be stimulated? The Act does not seek the reformation of these degraded creatures ; if it did I would say let it be worked if the community wish it. But these women are to be examined and certified as fit for business, and the keeping of such women is made another business by the brothel-keepers. With all my deference to the promoters of the Act I shall not be a party to voting a single pie towards the working of an enactment which is founded on such radically wrong principles. (Hear, hear.)

The Chairman then put the following amendment, proposed by Mr. Dosabhoy Framjee and seconded by Dr. Cook :—"That from the 1st September next the Corporation sanction a yearly grant of Rs. 15,000 towards the expenses of the lock hospital which is about to be established in the city by Government under Act XIV. of 1868." Seventeen voted for the amendment and 33 against. The resolution, proposed by the Chairman and seconded by Mr. Grattan Geary, was thereupon carried by 31 votes to 8. It was as follows :—That the Corporation of Bombay decline to contribute towards the cost of the working of the C. D. Act in Bombay, but when the finances of the Municipality will admit they will be prepared to contribute Rs. 15,000 for hospital accommodation for the relief of disease, in addition to the sums now granted for the Goculdas Tejpal and police hospitals."

For the Amendment.

Khan Bahadoor Byramjee Dadabhoy.
Dr Cook.
Mr E Carroll.
Dr Cowasjee Hormusjee.
Mr W T Crockett.
Mr Dosabhoy Framjee, C S I.
Mr C Douglas.
Mr Fazulbhoy C Gangjee.
Mr James Greaves.
Mr H E Jacomb.
Mr W Maidment.
Capt Morland.
Mr Nanabhoy Byramjee.
Dr J Pinkerton.
Mr DeQuadros.
Mr Venayekrao R Luxumonjee
Mr F Vouillon.

Against the Amendment.

Rao Saheb V N Mandlik.
Dr Atmaram Pandurung.
Mr James Bapty.
Mr Bhugwandas Purshotamdas.
Dr T Blaney.
Mr Byramjee N Sirvai.
Mr Dinanath R Khote.
Col Ponsonby Cox.
Mr E Freeborn.
Mr Grattan Geary.
Mr Goculdas Jagmohundas.
Mr D E Gostling.
Mr Heerjee Ardeshir Dady.
Mr Homejee Cursetjee Dady.
Mr Hormusjee Dadabhoy.
Mr Hormusjee N Saklatwalla.
Mr Hurkisondas Narotamdas.
Mr Jamsetjee P Kapadia.
Mr Janardhan Gopal.
Mr Khanderao C Bedarker.
Mr Cursetjee R Kama.
Hon'ble Morarjee Goculdas
Mr Mancherjee N Banajee.
Mr Nowrojee Byramjee Suntook.
Mr Nowrojee Furdoonjee.
Mr Nasarwanjee Chandabhoy.
Professor P Peterson.
Mr Pherozshaw M Mehta.
Mr Raghunath N Khote.
Mr Rahimtoola M Sayani.
Mr Shantaram Narayen.
Mr Tribhowandas Vurjeevundas.
Mr Vandravandas Parshotamdas.

THE PRESS ON THE C. D. QUESTION.

THE *Native Opinion*—We heartily congratulate the Bombay Municipal Corporation on the happy and thoroughly impartial result they have arrived at in their deliberations anent the propriety of granting a sum of money towards the working of the above Act. They have shown that they can stand by what is right and would not be driven into submission either by threats or official blandishments.

THE *Bombay Review*—After several days' careful consideration and discussion, the Municipal Corporation, by an overwhelming majority, decided on Friday last to decline to have any participation in the working of the C. D. Act. The Government has been ill-advised enough to think of forcing the obnoxious and mischievous measure on this city, in spite of the strong public feeling against the same. But the Municipal Corporation, fully alive to the dubious character of the C. D. Acts, their known inefficacy for the purpose intended and tendency to propagate rather than check loathsome diseases when in force in large and populous cities, and to the fact of their being an encouragement to vice and causing unnecessary hardship and unmerited disgrace to poor, helpless and innocent people and injury to society in various ways, has, after due and dispassionate consideration, come to the conclusion that it could not support the action of the Government.

THE *Bombay Guardian*.—There has been a prodigious amount of debate in the Bombay Corporation with regard to the C. D. Act which the Government are so intent on introducing. It is quite evident that there is a very strong feeling against its introduction, and that many, both among the European members and the Native, look upon it as immoral and demoralizing. We are quite ready to admit that among the Advocates of the Act are some who believe that the act is not likely to have any of the evil results that are attributed to it. Dr. Cook, in his defence of the bill, passes in review—at all events notices—the different objections urged by its opponents which he says are internecine, mutually nullifying. It may seem so, at the first glance, but perhaps there is more consistency in them than at first appears. It is urged that the act is ineffective. By this is meant that it does not succeed in banishing the disease from the community. It is no answer to this to bring evidence that the persons brought under the cognizance of those who administer the act are freed from the disease. Licentiousness, when such attempts are made to regulate it, knows how to find other less obtrusive but not less dangerous paths for itself. In Paris forty years ago, and we presume the thing is true to day, there were to be found in all the more frequented streets and arcades, shops tended by young women where the actual buying and selling constituted only the veil of the real transactions done. These shops were perfectly well-known to those who took interest in such matters, but were beyond the reach of the Government doctors. The disease prevailed to a frightful extent. The successive enumerations of the populations of France have made the world acquainted with the fact that while in the other states of Europe there is increase, there is an actual diminution of the population proper of France, and this has been attributed to the prevailing licentiousness. It is evidently very little to the purpose that statistics should be tendered showing a diminution of the disease in that particular class that comes under the treatment provided by these acts. What is hindered by the Act makes its appearance elsewhere *Naturam expellas furca, tamen usque recurrit*. Drive nature out by the door and she will come in by the window. One of the speakers in defence of the measure called attention to the innocent victims of the disease, the children that brought into life with them inherited tendencies that made them fall an early prey to disease. Of course every philanthropist would be ready to welcome measures that really would arrest this premature mortality. But we have little faith in any measures that do not begin farther back, and seek to shield the young from those influences that stimulate sensuality. If Government would take in hand the licentious literature of the day, the multitudes of novels and tales that act perniciously upon the imagination and upon the sensual appetite they would be approaching more nearly to the mark.

WEATHER REPORTS.—AUG. 15.

CARWAR, 5 p.m.—Weather cloudy ; wind N. W. 4 ; thermometer 79·5 ; barometer 29·900. Fall of rain 2 cents.

MANGALORE, 4 p. m.—Weather cloudy ; wind N. W. ; thermometer 76·5, 78 ; barometer 30, 29·914. Fall of rain 18 cents.

VINGORLA, 5 p. m.—Weather clear ; wind W. light ; thermometer 81. Fall of rain 2 cents.

RAINFALL IN BOMBAY.

	Colaba.		Fort.		Esplanade.		Byculla.	
	In.	Cts.	In.	Cts.	In.	Cts.	In.	Cts.
Previously registered...	42	3	45	54	38	55	42	31
Aug. 13 Friday	0	6	....		....		....	
14 Saturday	0	8	0	10	0	5	0	3
15 Friday	....		0	0	0	0	0	0
Total...........	42	17	45	64	38	60	42	34
Total Fall, Aug. 15, 1879...	44	82	54	5	*		56	87

NOTE.—The returns from the Fort and Byculla are made up to 6 p. m. and Esplanade up to 6 a. m. each day. The return from Colaba is up to midnight.

* No rainfall registered last year ; registration commenced this year from June 23.

RAINFALL ON THE GUZERAT LINE.

WE have been favoured with the following records of rainfall on the districts intersected by the B. B. and C. I. Railway, by Mr. Mathew :—

DIVISION No. 1.

Date.	Panju.		Vaitarna.		Palghur.		Gholwad.		Bulsar.		Surat.	
	Ins.	Cts.	Ins.	Cts.	Ins.	Cts.	Ins.	Cts.	Ins.	Cts.	Ins.	Cts.
Previous... Aug.	46	24	53	49	56	17	36	81	50	11	21	15
8	0	34	1	0	0	49	0	21	0	81	0	11
9	1	0	1	6	0	40	0	16	1	0	1	16
10	0	15	0	60	0	37	0	24	1	59	0	23
11	0	11	0	20	0	40	0	4	0	5	1	7
Total.	47	84	56	35	57	83	37	46	53	47	23	72

DIVISION No. 2.

Date	Pali.		Baroda.		Mehmudabad.		Ahmedabad.		Viramgam.		Kharagora.		Wadhwan.	
	Ins.	Cts.	Ins.	Cts.	Ins.	Cts.	Ins.	Cts.	Ins.	Cts.	Ins.	Cts.	Ins.	Cts
Previous Aug.	20	24	20	13	33	65	18	40	13	55	10	26	22	28
7	0	33	0	31	0	26	0	60	0	30	0	30	0	11
8	0	57	0	93	0	57	0	0	0	36	0	18	0	2
9	0	60	0	12	0	76	0	10	0	0	0	0	0	0
10	0	62	0	80	0	4	0	12	0	5	0	0	0	0
Total	22	36	22	29	35	28	19	22	14	26	10	74	22	41

NANDGAOM, Aug. 9.—We are still complaining of scarcity of rain. The wells are drying up.

BHUSAWAL, Aug. 9.—Very little rain has fallen compared to that of last year. Cloudy weather.

AURANGABAD, DECCAN, Aug. 10.—Occasional showers have fallen here but none for the past four days. The weather indicates rain. The fall of rain to date is 14·28 inches.

JALNA, Aug. 9.—We are having occasional showers of rain, but insufficient.

VYZAPUR, BHIR, PAITAN, AND AMBAD TALOOKS, Aug. 9.—Rainfall scanty.

MOMINABAD, Aug. 7.—The rainfall here is much below the average. The fall to date is 10·54 inches.

AHMEDNAGAR, Aug. 7.—The heat was great till the 4th evening, when there was a heavy shower of rain. On the 6th no rain. Prospects of crops are promising.

DHOND MANMAD RAILWAY, Aug. 10—The grass in some places is yellow. The rainfall is very scanty. More rain for the crops needed.

SECUNDERABAD, July 20.—Highest temperature 93° and lowest on 23rd ultimo 67°. From 1st to 23rd July 2·49 inches rain fell. More rain is very much wanted.

The following is the official report of rainfall to dates :—

		Inches.
Secunderabad	23rd July,	11·96.
Bolarum	24th ,,	13·14.
Hyderabad Residency	23rd ,,	11·25.

SIMLA, August 10.—The barometer has again risen in Bengal, Assam, and Burmah, and a slight further rise has taken place in the lower part of the North-Western Provinces, Oudh, Rajputana, and the Central Provinces ; while a slight fall has set in in the Punjab and at most stations in Madras. South-easterly winds have set in up the Gangetic valley, but to the south of the Ganges they are from south-west or west. Rain is reported from most stations in Bengal ; very heavy in Tirhoot, where Mozufferpore has 8½ inches. Other cases of rain exceeding 1 inch are Julpigorie 2½ inches, Cuttack 2¼ inches, Hazaribagh 1½ inches, and Darjeeling 1¾ inches. In the North-Western Provinces there is no rainfall of importance ; nor any in the Punjab. In Rajputana and Central India moderate rain continues. Bhurtpore reports 4 tenths, Jeypore 7-tenths, Ajmere ½ inch, Indore 1-tenth, Rutlam 4 tenths. In the Central Provinces, Khundwa has 1-tenth. This and the Berar stations have had but about one-fourth of the average fall to date. In Bombay no rain of importance, except Surat ½ inch ; and in Madras only Cochin and Calicut report slight rain.—HENRY F. BLANFORD, Meteorological Reporter to Govt. of India.

A BARRISTER'S QUARREL.

WE are sorry to hear that the Public Prosecutor has not been treating the learned counsel for the defence in this case with the courtesy due to his age and position at the Bar. It seems that Shewuck (the man who has turned Queen's evidence) went to Mr. Gill's quarters on Saturday morning, in company with his pleader, Mr. Kavasjee Dinshah, with a view to consulting that gentleman about the offer of pardon that had been made to him (Shewuck) by Mr. Pinhey if "he should exchange his position in the dock for one in the witness-box." Mr. Gill heard all his client had to say, and informed him that he had full liberty to accept the offer, but that he must speak the whole truth and nothing but the truth when examined as a witness. While Shewuck was consulting his counsel, Mr. Pinhey suddenly made his appearance in a very excited state, and not only denounced Mr. Gill's conduct as highly improper, but actually accused him of tempering with a man whom he regarded as an important witness for the prosecution. Mr. Gill controlled his temper in a way that cannot be too highly commended. Although Mr. Pinhey's language, tone, and manner were highly objectable and discourteous, Mr. Gill quietly requested him to leave the room ; but Mr. Pinhey would not leave the room, and persisted in accusing Mr. Gill of unprofessional conduct and threatening to report him to Judge Parsons. It was only when Mr. Gill informed Mr. Pinhey that he would be compelled to have recourse to measures that would be neither pleasant nor agreeable that the latter thought of moving out of Mr. Gill's apartment. During this unseemly altercation we hear Messrs. Dyaram, Hussun Ali, and Kavasji were present. On the opening of the Court on Saturday the Public Prosecutor brought the subject to the notice of Judge Parsons, and requested an expression of opinion from the Court in regard to his learned friend's conduct, but the learned Judge very courteously (and in our opinion very properly) declined to give any opinion, remarking that Shewuck had had a perfect right to consult his counsel. We must say that we are truly sorry that the Public Prosecutor, for whom we have always entertained the utmost respect, should have so far forgotten himself on this occasion as to insult a brother barrister of Mr. Gill's standing. Mr. Pinhey's conduct was wholly inexcusable, and we feel confident it will be condemned by every right-thinking person.—*Scinde C. and M. Gazette.*

THE "BEND OR" OBJECTION.

OUR sporting contemporary, the *Asian*, has landed on "a mare's nest," and has probably created some uneasiness to the promoters of the Umballa and other lotteries and to their winners, by suggesting that should Bend Or be disqualified for the Derby, the lottery prizes may have to be re-distributed. This is very improbable. In the first place because it would, we imagine, be opposed to the rules of betting and, in the second, owing to the difficulty and improbability of getting the money refunded. Rule 2 of the "Rules of Betting" states that "if an objection be made to the qualification of a horse on the ground of incorrect pedigree, or nomination, *after the race is run*, the bets shall go to the horse that comes in first, provided that he is of the right age, and that in other respects he has not transgressed the rules of racing." This rule further states that if the race has been won by fraud, then "the bets will go with the stakes whether any objection be made either before or after the race."

Neither of the owners of the second horse, nor any of the public have for a moment attributed fraud to his Grace of Westminster, consequently whether Bend Or be disqualified or not, bets, and therefore lotteries, hold good. Messrs. Blanton and Brewer, the owners of Robert the Devil, say that owing to a mistake made when Bend Or was a yearling, and changing his quarters, the horse now known by the latter name is really an animal called Tadcaster, and that the horse now called Tadcaster is really Bend Or. The evidence they hold is that of a stud groom, recently discharged by the Duke, and that his story is credited is shown by the legal advice given, which resulted in a formal protest being lodged with Messrs. Wetherby, the stakeholders, against paying over the stakes to the Duke. When the difficulty first arose the owners of Robert the Devil asked the advice of the Jockey Club, but the stewards, after going into the matter, expressed their inability to offer any suggestions towards the settlement of the question. The matter will now probably have to be shifted in a court of law, for though the Duke and Peck, his trainer, have given Messrs. Brewer and Blanton every assistance to ascertain the truth of the story, the noble master of the horse is apparently determined not to be done out of the honour of having won the Blue Riband of the Turf, without a struggle, or until it is clearly shown that a mistake was made.

The present objection to the Derby winner is by no means without precedent, but still our contemporaries, both here and at home, have referred only to one, viz., that of Running Rein, who was first past the post in 1844, but was subsequently disqualified, when it was proved that he was a four-year old, named Maccabeus. On certainly two previous occasions objections were lodged, but each time they fell to the ground. The first was against St. Giles, the winner of 1832, owned by a Mr. Ridsdale. On settling day an objection was lodged, and a placard hoisted in parts of London, headed "St. Giles not entitled to the Derby stakes !" The gist of the objection was that St. Giles had been entered as a "chestnut colt, St. Giles by Tramp out of Arcot Lass, *by Ardrossen, her dam Floyerkin*," whereas it ought to have been by *Ardrossen, dam by Cramlington out of Floyerkin*. Legal proceedings were at first talked about, but the matter was finally referred to three sportsmen, the Duke of Richmond, Lord Stradbroke and Mr. Charles Greville, who gave a verdict in favour of Mr. Ridsdale, with £2,675 damages. The second occasion was after Bloomsbury's victory in 1839. Curiously enough the Derby winner was again owned by Mr. Ridsdale and the dam of Bloomsbury was a daughter of St. Giles. In this case the owner of Deception, the second in the race, objected on the ground that the pedigree of the horse, as stated in the Racing Calendar, and Stud Book differed, the former describing Bloomsbury as "by Malatto," the latter as "by Tramp or Malatto." The stewards after investigating the matter decided that the entry in the Calendar was correct, and that Bloomsbury was qualified for the Derby and his owner entitled to the stakes. Deception's owner was not, however, satisfied, and the case was eventually tried at Liverpool before a special jury when a verdict was returned in accordance with the decision of the Epsom stewards.

THE FAMINE COMMISSIONER REPORT.

(Continued.)

WE recommend that the body of village accountants should everywhere be put on a sound and satisfactory footing as responsible public officers, with a clearly defined set of duties, but with due consideration to the importance of their permanent connexion with their own villages ; and that where, as in parts of Bengal and Sindh, the class has ceased to exist through long desuetude it should be resuscitated. Officials of this class should be appointed for all villages, whether the estates are free from assessment or pay a quit-rent, or pay the land revenue in full ; and the same annual returns should be prepared for all kinds of estate, whether under the permanent or temporary settlement. The field survey, which supplies the basis of all agricultural statistics, should be pushed on in the provinces where it is now in progress, and should be set on foot in Bengal, where hitherto it has not been introduced. In that province the expenditure, or the major part of it, should be borne by the landholders, who alone derive advantage from the increasing value of the land, and who cannot without such a survey properly perform the duties imposed on them by their position.

Over the village accountants there should be a staff of active subordinate officers, employed in keeping them to their duty, inspecting their work, visiting each village in turn, and checking the accuracy of all the items recorded concerning it.

Above these there should be a special officer in every district, who would be, as a rule, of the rank of a deputy collector, and whose main or only duty should be to take charge of all matters connected with the economic condition and well-being of the people. He would test and compile the agricultural returns and examine the market prices, and ascertain from these and other data the relative value of each year's crop, according as it is below or above the average. The extent of the food stocks, the ebb and flow of local trade, the current rates of interest charged on loans to different classes, the deficient or superabundant supply of any kinds of labour, and the customary wages paid to each kind—these and other kindered topics, on which information is at present far from precise, would fall within the scope of his inquiries. These officers, while generally subordinate to the collector or chief officer of the district in which they are placed, would be specially under the orders of the Agricultural Department in respect to the system on which their returns are to be prepared and checked.

A Director of Agriculture should be appointed in each province as executive head of this department, chosen for his knowledge of the condition of the people, and particularly of the agricultural classes. He would directly control the special statistical officers, and would be the adviser of the local Government on all matters relating to agriculture and statistics.

The employment offered by the State can hardly be other than some form of simple labour, such as is required on the ordinary public works carried on under the officers of the Public Works Department. The works selected should be of permanent utility and capable of employing a considerable number of persons (a large proportion of whom would be unskilled labourers) for a considerable period of time. Their position must be regulated by various circumstances, to all of which proper weight should be given, such as convenience of access to the distressed population, facilities for the provision of food and for supervision, and healthiness of situation. The selection of these works should be the duty of the Public Works Department in each presidency or province, acting under the orders of the local Government, and that Department should be held responsible for keeping a list of such works ready to be put in hand without delay when any such emergency occurs. If possible one such work should be opened in each subdivision of a district in which severe distress prevails. It is not necessary, and may often be undesirable, to offer to every one work close to his door, but on the other hand it is unreasonable to expect people to travel great distances in order to obtain relief, or to make such a journey a condition precedent of their being received on relief works ; and we think that such a test should not be applied.

The immediate direction of these works should be entrusted to the officers of the Public Works Department, whose special training best qualifies them for such a duty, and who would be responsible for enforcing discipline and directing the labour.

The collector of the district should exercise general supervision over all works, as over all other arrangements for giving relief within his district, and should be responsible to Government for their efficiency.

It has been proved by experience that when there is little to do in the fields, large numbers of people are apt to flock to get employment on Government works, although there is not any such general need as to justify the offer of work to all comers. This is particularly the case if the task is light and discipline slack, and too easy terms may even have the effect of drawing labour from its legitimate sphere, and discouraging the continuance or resumption of ordinary agricultural occupations. It is therefore necessary that proper discipline should be maintained ; and that, though all applicant should be received, certain self-acting tests of wage and labour should be enforced to prevent the relief work from being so light or unduly attractive as to induce any to remain who are not really in want. The wage should be adjusted from time to time so as to provide sufficient food for the labourer's support, allowing him one day's rest in the week ; and separate rates should be prescribed suitable for the various classes of persons as well as for different ages and sexes. In apportioning the task, the fact that a large proportion of the labourers are doing unaccustomed work, that many may be physically and morally depressed, and that the disruption of their ordinary life, and the novelty of their position on relief-works probably act injuriously on their bodily powers, should be borne in mind. The full task demanded from such persons should not be more than 75 per cent. of that commonly performed by labourers in ordinary times, and from the less capable labourers a still smaller task should be required.

The contract system in its ordinary form, under which the labourers become the servants of the contractor, on whom all responsibilities for their payment rest, should be prohibited on relief works, as it is incompatible with that direct supervision and control on the part of the supervising officer, and that free communication between him and the labourers, which are essential to secure the effectiveness of the relief. The method of payment by the piece may, however, be introduced with advantage, provided that it is optional with the labourers to choose beween it and the daily wage.

The difference in the two systems of gratuitous relief may, no doubt, be traced to the different circumstances under which they were adopted. The more stringent system, requiring residence in a poorhouse, was a somewhat natural development of the efforts of private charity with limited means at its command ; and the village system was an equally natural outcome of the view which regulated the relief in 1873-74, that it was requisite for the State not only to supply employment and means of subsistence to the whole population, but to import and distribute the food itself. The poor-house system has generally been followed since 1861 in the North Western Provinces, and has been highly recommended by many authorities for adoption elsewhere. It was believed that the objection felt to residence in a poor-house might keep away those not really in want, but would not deter any who suffered from real distress. There is, however, a great accumulation of evidence to the effect that the feeling of the people towards relief administered in this form is in most parts of India one of extreme repulsion ; and that even in the North-Western Provinces in 1877-78 that repulsion was strong enough to cause many to lose their lives rather than to accept help on these terms. It was in Bengal in 1873-74 that the system of village relief first became prominent, and that indications were seen that it was preferable to the poor-house system, notwithstanding certain difficulties which attended it. Under any such system the difficulty of discriminating the worthy from the unworthy will be great ; the village officials, where such persons exist, can seldom be thoroughly trusted to select the proper persons for the receipt of State help, and in the absence of some really trustworthy residents in the villages who can be employed by Government as agents in relief-distribution, there is great risk that the money or grain will not reach those for whom it is intended. Both systems might no doubt be better administered than they have ever yet been. If it is probable on the one hand that ameliorations of the poor-house system could be effected, under which its stringency would be less likely to repel real sufferers, on the other it is clear that much of the heavy cost which attended the operations in Bengal in 1873-74 is in no degree a necessary element of the village system. On the whole there is no doubt left in our minds that the village system should, in the present condition of India, be preferred for general adoption, inasmuch as, while this system may involve the risk of a too free grant of relif, the poor-house system involves the more serious risk of insufficient relief.

If gratuitous relief is never given to those who are able to do a reasonable amount of labour, but only to the children, infirm, and old, to cripples and house ridden people, and to those necessarily required to attend to them ; and if there is an efficient system of village inspection to see that the persons on the relief list are, as far as outward signs go, deserving of it, and that they do receive it ; the result will be that relief will reach the majority in the most effective way, though there may be a certain small number of people who get it improperly. With these two safeguards, the danger of the misuse of the State funds will be minimized, and the danger of imposing a test so repugnant to the people as to prevent their accepting relief will be avoided. But there will still be room for relief-houses, the proper sphere of which will be to receive such persons as have separated themselves from their homes and villages,—aimless wanderers, habitual beggars, or debilitated people who have fallen out of the ranks of the labourers and require to be fed up or receive medical attendance in order to regain strength and return to work.

(To be continued.)

BENGAL.

RAINFALL.—The total fall of rain registered at the Alipore Observatory from the 1st January last to the 7th instant was 43·08 inches, the average fall of the corresponding period for 24 years having been 37·72 inches.

BITING A WOMAN'S NOSE OFF.—A *dhobie* residing in Dhobaparra Street, Calcutta, named Zithain, had occasion on Wednesday morning to correct her husband in consequence of his repeated familiarity with other women. The husband, incensed at his wife's presumption, he knocked her down on a charpoy, and, after abusing her roundly, bit her nose off. The man is under arrest.—*Englishman.*

MADRAS.

SHIPWRECK.—The barque Lassa, while on a voyage from Madras to Calcutta, struck on the Santipilly rocks on the 5th inst., and sunk in ten minutes after striking. The Captain and crew managed to get into the boats, and reached Santipilly safely. The Lassa, which belonged to Messrs. S. Potter and Co., London, had only ballast on board.

A SUBADAR CASHIERED.—Subadar Rungaswamy, of the "Queen's Own" Madras Sappers and Miners, was tried last month at Thayetmyo, by a native general court martial for borrowing Rs. 76 from a Naique of the same corps and for being drunk. The prisoner was found guilty and sentenced to be dismissed the service. The sentence has been confirmed by the Commander-in-Chief.

EURASIAN AND ANGLO-INDIAN ASSOCIATION.—We learn that the Agricultural Sub-committee of this Association are in negociation for the purchase of a piece of land a few miles to the west of Kilpauk. The land has an area of some four hundred acres, and once held a village, which has been depopulated, probably during the famine, and only a few huts now remain. The landlord is in arrears of kist, hence the sale of land. It was rumoured that the Association intended appealing to the Board of Revenue against the decision of the Saidapet Collector in the matter of the land purchased by the Association at Kolady, but we hear that it is not intended to move in the matter.—*Madras Mail.*

PERFORMANCE BY TELEPHONE.—The telephone is making rapid advance in Madras and is being applied to some agreeable purposes. By means of it people at outstations have the privilege of hearing some of the excellent singing Madras can boast of. On the evening of Thursday last, a concert was given at the Central Railway Station by means of the telephone for the people of Arconum, and the people at Arconum returned the compliment by also giving a concert for Madras. There was both instrumental and vocal music which was distinctly heard, and the audience were delighted with Mr. Sam Price's original song, "The Madras B. A." The song took so well that a repetition was called for, and it was given. There were several gentlemen at the Central Station, and they fully appreciated the concert.—*Madras Times.*

RIFLE SHOOTING.—A shooting match between a team of Staff Sergeant of the Royal Artillery and Madras Volunteer Guards took place on Thursday morning at St. Thome Range. Major Pigott, the Adjutant of the Madras Volunteer Guards, was present; also Captain Hooper, M. V. G., and Lieutenant Holmes, D. O. V. A. Distances 200 and 500 yards. Seven rounds at each distance. The match resulted in favour of the M. V. G. by 39 points. After firing, the whole sat down to breakfast. One who was present informs us that Sergeant Major Hartley of the latter team, made seven consecutive bull's eyes, and notes that Sergeant Lamoury, also of the latter team, made the best individual score, namely, 61 points. The following is the score :—

M. V. G.		R. A.	
Sergt. Lamoury	61	Staff Sergt. Taylor	56
Sergt. Major Hartley.......	60	Sergt. Major Brady	49
Sergt. Barren	48	,, Herd	44
Sergt. Instr. Johnson	47	Staff Sergt. Baker	43
Color Sergt. James.........	44	,, Bailey	40
Qr. Mr. Sergt. Tallent	32	Sergt. Instr. Cairns...........	21
Total...	292	Total..	253

—*Madras.*

NORTH-WEST PROVINCES.

DEATH OF A MISSIONARY.—We much regret to hear of the death of the Rev. M. A. Sherring, the well known missionary and scholar of Benares. He died at Benares on Tuesday morning, of cholera. Mr. Sherring's labours in the cause of literature and education well merit some recognition from the Government. He leaves a widow and five children. We hear there have been but few other cases of cholera in Benares, and the health of the troops is good.—*Pioneer.*

GHARRY ACCIDENT.—Mr. Fisher, the Collector of Meerut, met with an accident the other day. It appears that he tried to take a short cut in his bamboo cart across a maidan ; and on reaching the pucka road which has recently been made up, the cart upset on its side. Mr. Fisher was prevented from falling clear of the cart, as it had a hood, and on trying to get out found that his right leg was broken. We are glad to hear that it is only a simple fracture, and hope that he will soon be able to return to his work.—*Ibid.*

EUROPEAN AND OTHER EXTRACTS.

THE FORTY DAYS' FAST.—ALLEGED IMPOSITION.

THE New York journals supply the following additional incidents of the eleventh day of Dr. Tanner's fasting experiment :—

The monotony of Dr. Tanner's self-imposed fast was somewhat broken last night by a direct accusation of fraud by Dr. E. C. Bradley of Twenty-third-street, and Mr. H. J. Swift of Mills and Co., 354, Broadway. Both of these gentlemen express themselves willing to swear that they saw one of the attendants pass some thing to the starving doctor in a stealthy manner. This charge was denied by the accused attendant and the doctors on watch, all of whom are equally anxious to make an affidavit that Dr. Tanner has not received food of any kind from them since the commencement of his novel task. Dr. Bradley was not on duty at the time of the alleged discovery, having watched the faster the entire of the preceding night. Matters went on as usual up to twelve o'clock, when the force of watchers was augmented by the arrival of Dr. Bradly and Mr. Swift, who stopped a moment to gaze on the sleeper, and then passed into the room and began to talk and joke with the attending physicians. Soon after Mr. Johnson was observed to leave his post, enter the room, and go to a washbowl which stood in the corner. One hand was in the side pocket of his coat and in the other he carried a towel. This he wet with water, and passing through the room again went to the bed and reached out the hand containing the wet towel as if to lay it on the doctor's head. As Mr. Johnson approached the bed Dr. Bradley winked knowingly at Mr. Swift, and jumping from his chair, said in a hurried whisper to Dr. Harwood, as he moved toward the door, "Tell Peck to watch that man; you follow me." A reporter, noticing the nervous conduct of Mr. Johnson, was at once at his side. Both of Mr. Johnson's hands were in his coat pockets, and he seemed to be intently watching Tanner's hand which lay on the outside of the covering. The reporter was astonished to see this hand tightly close over what appeared to be a small sponge, and he asked Mr. Johnson if this was allowed. "Yes," he replied, "we have allowed him since seven o'clock this evening to hold wet sponges in his hands, and have also supplied him with a damp towel for his head." As Dr. Bradley passed the bed he took another sponge off the window sill on the opposite side of the bed, and handing it to Dr. Harwood asked him to examine it. Dr. Hardwood took it and placing it to his lips said, as he handed it back, "It's water." Dr. Bradley then squeezed a quantity of some kind of fluid from the sponge on to the floor threw the sponge to Dr. Storror and went downstairs, followed by Dr. Hardwood and Mr. Swift.

One of those present took the sponge to examine it, but it was dry, and dropping it he turned his attention to the one which Dr. Tanner still held in his hand. While he was looking at this Dr. Bradley came rushing upstairs, and said, in an excited tone : "I want all the doctors to come into the hall with me ; I've got something to tell them. All followed him, with the exception of Dr. Storror and Mr. Johnson, who remained on watch. Mr. Swift and Dr. Harwood then came up the stairs, and, stopping at the head, told the reporter that Dr. Bradley asserted that he saw Mr. Johnson pass something in a very suspicious manner to Dr. Tanner. Mr. Swift also said he saw this done, and that he was going to expose the trick. Upon hearing this charge Mr. Johnson turned slightly pale, but replied in a composed tone, "That's absurd. You saw nothing of the kind. I gave nothing to the doctor except water." All this conversation was carried on in whispers, as the faster was, from his regular respiration, apparently fast asleep, and had requested when he went to bed to be let alone as long as he continued to slumber.

By this time Dr. Tanner was wide awake to the situation of affairs, as he had been told what Dr. Bradley claimed to have discovered. He flung the towel and sponges across the room, and, demanding an emetic, sent word to Dr. Bradley that he wanted to see him at once. Their meeting was affecting. Dr. Bradley stood by the bedside, while Tanner, with his arms around his neck, begged him to allow some test to be made. Both seemed to fully appreciate the peculiar situation, and their language was tinged with the sorrow which they evidently shared. "No, doctor," said Dr. Bradley, "I want no test. I saw that man put something in your bed. What it was I know not. I don't know the man's name even, but I do know he took something from his pocket and placed it in your bed. This I saw distinctly. I am a warm friend of yours, and very much interested in your fast, but I can't let this go. I would give dlrs. 500 not to have seen it, but all the tests or emetics in the world can't wipe out the fact." "Well," said Dr. Tanner, his large grey eyes full of tears, "I declare before my God I am innocent. I have been honest in this trial, and have done nothing that had in it the slightest tinge of fraud. What he put in my bed I can't imagine, but I assert on my oath I took nothing from his hands except the sponge full of water." Leaving Dr. Storror to watch at the poor old man's bedside, Dr. Bradley led the way to the ante-room in order that the several statements might be taken down. Now that the first excitement was over all listened peacefully to the following statement from Dr. Bradley: "At a little after twelve o'clock I saw a short, thick-set man, to me unknown, but whom I now recognise as Mr. Johnson, standing beside Dr. Tanner's bed. I saw him leave the bed and come into the room where I was sitting. When he went back to the bed I saw him pass what appeared to me to be a wet towel to the doctor with his left hand. Then I saw him put his right hand quickly into his coat pocket, deposit something in it, carefully and surreptitiously withdrawing the hand and carelessly resting it a moment on the window sill. Then I saw him put his hand back into his pocket again, and take something out and pass it to Dr. Tanner. Whatever it was, it was larger than the sponge. I found on the window sill beside the bed, and out of which I squeezed half a pint of water. Johnson stood for a moment with his hand in his pocket, and turning in a disconcerted manner came back to the room as if he knew he had been noticed, and proceeded to examine the record book. I immediately told Harwood to tell Peck to watch that man close and for him to follow me. We went downstairs together, and when we reached the street I stated the facts to him. We talked it over for a moment, when Mr. Swift came up to us and made a similar statement to Dr. Harwood, without having had any conversation with me about it. We decided to go back at once and give the facts to the watchers, and we did so. I am willing to state these facts on my oath before any notary in New York city."

During this recital Dr. Bradley was interrupted several times by Mr. Johnson, who contradicted him, and at last gave him the lie. This was too much for the Doctor, and once more war seemed inevitable, but the other doctors restored quiet. Mr. Swift then gave his story. What he had to say fully corroborated Dr. Bradley's statement. He said : "What I saw was very suspicious. I distinctly saw Mr. Johnson pass Dr. Tanner something from his pocket. What it was I could not see, but that something did pass from Johnson to Tanner I am willing to state under oath. I caught Dr. Bradley's eye and followed him downstairs to tell him of it." Mr. Johnson was now requested by all the doctors except Dr. Bradley to make some reply, but he at first refused, saying, "I have nothing to say. I deny the whole story." At last a happy thought seemed to strike him, and, adopting a careless, easy tone, he said, "I think I know now what Dr. Bradley saw. I stood on the left side of the bed and Dr. Storror sat on the opposite side. Two sponges filled with water lay on the window-sill on Dr. Storror's side. Dr. Tanner asked for one of them and Dr. Storror passed it to me to give to him. I did so, and he grasped it tightly in his hand. Some of the water remaining on my fingers I put my hand to my side pocket, where my handkerchief was, to wipe it off. When I had done this Dr. Tanner asked to see if there was not something in the bed, complaining that a rope was hurting him. I thrust my hand under the bed and found the cause to be a separation between the parts of the bed, causing an uneven surface for him to lie on. This was all that occurred, and Dr. Tanner received nothing from me except water in sponges and towels." Dr. Storror then said, "Johnson's statement about my position at the bed and my passing him the sponge is correct in every particular. If any nutriment except water was passed to Dr. Tanner it entirely escaped my notice." A general conversation then ensued, in which the whole matter was talked over from all possible standpoints.

Some were for giving up the test and discharging the watchers. Others advocated a closer watch and a continuance of the trial. At last it was decided to go on as they had been doing, as long as Dr. Tanner asserted that he would make an affidavit in the morning to the fact that no food had passed his lips at any time since he commenced the task. Dr. Gunn says he claimed that when Dr. Bradley made his discovery he should have spoken of it instantly, and have had the matter fully investigated on the spot. He had known Frost Johnson for six years and knew him to be in every way above reproach. He had no interest in Tanner's success ; in fact, he was a sceptic from the start. At half-past three a.m., the doctor, in consequence of the extreme state of nervousness to which he had been reduced by the action of Dr. Bradley, could find no rest, but he was fast asleep at forty minutes past four a.m. The watchers—Dr. E. Storror, late surgeon United States Navy, and Dr. David Wark—during the nap entered into a discussion as to the perils surrounding Dr. Tanner's physical condition, ænmia of the brain or uræmia being the two troubles most to be dreaded. Dr. Storror related his experiences with starving prisoners in China, the tenth day being almost invariably fatal. At twenty-five minutes past five Tanner awoke, and after the usual rinsing of his mouth lay down restlessly for a time, and, getting no comfort on the new hammock, tried the old cot, with a towel wet with ice-water placed under his head. He succeeded in getting a short nap, or a total of nearly three hours and thirty minutes during the night, the longest nap being forty-five minutes only. Dr. James Wilson, formerly Mayor of Owego, relieved Dr. Wark at half-past six, and ten minutes later Dr. Tanner rose and said he would dress. He said, "I don't feel very good this morning ; I had hard night of it." His clothes were examined, but while waiting for clean water to wash ere donning them, he walked up and down the room in his long night shirt, a very ghost of his former self, though when stripped for the bath he still displayed a good reserve of surplus flesh. His face was pinched and haggard from want of sleep, and he was not as cheerful as usual. He insisted on the watchers examining everything, however, saying, "I want the examination made ; nothing must be taken for granted."

Just before sitting down for a nap, and about twenty minutes to eight, his pulse was at 84, his temperature, taken at eight o'clock, was 98, and respiration 14. The flies disturbing him somewhat, Dr. Wilson fanned him with a newspaper. Dr. A. N. Miller, of Bellevue, who had relieved Dr. Storror, sitting as watcher at the foot of the bed. Tanner slowly dropped off to sleep, when the entrance of Dr. W. C. Jarvis, who has charge of the watchers from Bellevue, disturbed him, and, without speaking to the watchers, Dr. Jarvis asked Tanner what was in the charges preferred by Dr. Bradley. The faster at once became excited, and said : "I believe this is part of a put-up job to keep me awake, and see if I cannot be broken down that way. Dr. Bradley had been drinking last night ; I smelt it on his breath, and knew he was under the influence of liquor. He then explained to Dr. Jarvis the whole matter, and referred him to his own watcher, Dr. Storror, and the statement made by the latter in his report of the watch, which Dr. Tanner had not yet seen. The statement read as follows :—

12-50—Suspicious movements observed by Dr. Bradly on the part of Johnson, a watcher, created an animated discussion as to whether Tanner had received nutriment or not. Much confusion prevailed and Tanner became earnest, though not excited, and offered to take an emetic. No emetic given. I was watching Tanner intently and failed to detect him receiving any nourishment excepting a moist sponge. This sponge was wet with water, and passed through my hands to him.—E. STORROR, M. D.

This for a time did not satisfy Dr. Jarvis, who said he would withdraw all his watchers if he thought the least nutriment has been conveyed to the "faster," adding, "Bradley is a reliable man." Dr. Tanner, overcome by the excitement of the night and the reiteration of the charges by Dr. Jarvis, became intensely agitated and burst into tears. The feeling among some of those present that it was a persistent attempt to breakdown the doctor's spirits by shattering his nervous system finding expression in words, Dr. Jarvis undertook to explain by stating that, knowing that excitement was injurious to him he did not come to talk to him, but to the watchers, and he recommended him, "Go and lie down and keep still, doctor; it will be better for you." Dr. Tanner retorted, "Dr. Hammond is at the bottom of this. Bradley told me the night before last that he knew Hammond was all right, so that I know he is in this thing in some way." Dr. Griswold, who had been attending to some medical visitors, then came up and suggested quiet. Dr. Tanner went to his hammock betraying much suffering from the excitement—limbs shaky, eyes bloodshot, face flushed and red with weeping. Sitting on the cot, he said, "I am ready to make an affidavit that I took no nutriment save water, and if Dr. Bradley thought anything of me or of the experiment, he would not have stayed here and kicked up such a row as he did, depriving me of my sleep nearly all night." The doctor, deeply moved, then turned over on his stomach, resuming his first, old position. Rising again soon after he said, "Why didn't they let me take the emetic? That would have shown if any nutriment was in my stomach or not; but they were afraid to accept such proof positive that there was not a thing of any kind in my stomach, nourishing or otherwise."

Dr. Jarvis then withdrew, promising to keep up his watch for a day or two at least, but saying that if he withdrew it would be because he could not get volunteer physicians who would occupy the position.

At ten minutes past nine a.m. Dr. Gunn, his medical adviser, arrived and made the following proposition for Dr. Tanner's acceptance : "Dr. Bradley, of the Neurological Society, has the exclusive charge of the watch, laymen to be appointed to be present all the time to see that justice be done Dr. Tanner, and Drs. Gunn and Wark be allowed admission at all times as his physicians." The faster thought the matter over, and then said, "If these gentlemen from Bellevue will only stick right along I think things had better keep as they are."

This settled he lay back to rest, and at half-past nine was quiet though not asleep.

Dr. Tanner and Mr. Johnson have made the following affidavits in denial of the charges of Dr. Bradley :—

"Clarendon Hall, July 8, 1880.

"I hereby positively affirm that I have totally abstained from all food, either liquid or solid, from Monday, June 28, 1880, at twelve noon, to the present time. I also totally abstained from water for eight days, but between twelve and one a.m. to-day I took four ounces of water. The suspicions of Dr. Bradley regarding Mr. Frost Johnson handing me anything are entirely unfounded. He handed me nothing but a towel and a sponge, both wet with water, and the sponge was handed to him by Dr. Storror, and neither of these articles contained anything but water. "H. S. TANNER, M.D."

"Subscribed and sworn to before me this day, July 8 1880, at 5-10 o'clock p.m.—WM. VAN TASSELL, Notary Public."

"At no time during my watch with Dr. Tanner at Clarendon Hall, either on yesterday (Wednesday) night or at any other time, did I give or see give.. to him any article of food.

"New York, July 8, 1880. "FROST JOHNSON."

"WM. VAN TASSELL, Notary Public."

SIR JOHN STRACHEY'S MINUTE.

(To the Editor of the Times.)

Sir,—Sir John Strachey, in paragraph 17 of his recently-published minute, states that the precaution of comparing the disbursements to the Military Department with the recorded expenditure had never occurred to any of the Civil Account officers. I trust you will allow me to correct this statement through your columns. In the offices in which I served it was the rule, before accepting the estimates furnished by the Military Department for inclusion in what is known as the regular estimate, to compare them carefully with the actual outgoings from the Treasuries. If the same rule had been adopted when the Budget was prepared at Calcutta, the mistake which has occurred could not have happened. The Controller-General, whose office is located in the same building as the Financial Department of the Government of India, receives monthly accounts from the different account offices showing the actual amounts disbursed to the Military Department by all the treasuries in India ; the information given in Appendix C. of Sir John's minute could, therefore, have been obtained, and the comparison could have been made in a few minutes.

I may add that the imperfection of the system under which considerable suns are excluded from the recorded transaction of the year and remain in balance at its close without their amount being exactly ascertained, was well known to several officers of the Account Department, and had at least on one occasion, been brought to the notice of the proper authorities.—Your obedient servant,

L. C. PROBYN,
Formerly Acct.-Genl., Punjab and Madras.
Dunkeld, July 16.

"DOWB'-ISM IN AFGHANISTAN.

FROM a letter forwarded to us by a corre[illegible] dent in Afghanistan we call the foll[illegible] extracts. The writer is not one to gr[illegible] without cause, being naturally blessed wit[illegible] "contented mind" which, we are told, [illegible] continual feast."

"People at home can have no ide[illegible] sufferings the Kandahar force has gone t[illegible] from first to last, or its members would o[illegible] have come in for a larger share of the r[illegible] that have been flying about. We are one [illegible] disgusted that no notice has been take[illegible] brigadier-generals and other disti[illegible] officers who have served under Sir [illegible] Stewart. There is that splendid sol[illegible] instance, General Barter, who has [illegible] undergoing all manner of hardships [illegible] tions for eighteen months, and who [illegible] guished himself, whenever a chance [illegible] conspicuous military ability. At the [illegible] at Ahmed Khel, it was chiefly th[illegible] quickness in launching the 1st Pu[illegible] valry at the enemy, and in bringin[illegible] 60th Rifles and 15th Sikhs, that th[illegible] caught such a sweet peppering. [illegible] too, it was General Barter who [illegible] enemy's left and swept the defences[illegible] merit has remained unrecognised, [illegible] strategists of Simla have divided a [illegible] of honours among them. Sir Donal[illegible] has, I believe, reported most favourab[illegible] loyal support given him by all of his [illegible] generals, but these commendations [illegible] have been burked. Do stir up public [illegible] this matter. I myself do not look f[illegible] wards as I have never done anything [illegible] common. But it is a burning shame [illegible] disgrace that through favouritism, [illegible] 'Dowb'-ism, and all the other hateful 'isms [illegible] rule the roost at Simla, officers of the highest merit are passed over without notice. General Barter has been the life and soul of his brigade throughout, and not on a single occasion can it be attributed to him that he blundered or failed to do what was expected of him. Our fellows say that the Kandahar force has been thus neglected because it had no "special correspondents" with it to trumpet the praises of its officers. Sooth to say, we were rather glad than otherwise at the absence of those troublesome gentlemen, but we then believed, of course, that Sir Donald Stewart's recommendations would receive as much attention as if they were enforced by the *ipse dixit* of a Forbes or a Russell."—*United Service Gazette.*

hours of curfew are 7 p.m.

[illegible] ng sent to [illegible] the refusal of the right of self [illegible] determination to 10 million Pathan [illegible] people [illegible] in India."—United Press.

FRENCH REVOLUTIONARY TENDENCIES.

THE *Times*, Paris correspondent writes :—While M. Rochefort is showing his gratitude for his readmission into France by daily attacks on M. Gambetta, and by proposing that the Senate should be abolished by being pitched out of the window, a Socialist Congress is sitting in Paris, which goes as far beyond M. Rochefort as he goes beyond men of common sense. This Congress, the existence of which nobody would have suspected but for the reports in two or three revolutionary papers, has pronounced for the abolition of, private property, the disendowment of the Church, the general arming of the people, prohibition of Monday labour except at the wish of the employed, eight hours work for adults and six for persons under 18 years of age, a legal *minimum* of wages fixed yearly according to the price of provisions, responsibility of employers for accidents, substitution of a progressive income and legacy tax for all imposts, &c. A significant episode occurred at last night's sitting. M. Drouet, a journeyman sailmaker and a delegate from Havre, protested against the revolutionary doctrines that had been enunciated. He denounced the idea of blowing up the Chamber of Deputies with dynamite and all appeals to force. As to Germany being a proof of the uselessness of Parliamentary agitation, seeing that 800,000 Socialist electors had effected nothing, it was forgotten that Germany was an Empire and France a Republic. "The Paris artisans," said M. Drouet, "will not follow you, and as for the provinces, I am the only representative of them, and I protest and withdraw." Before retiring, however, he road the programme of the Havre artisans, which, after affirming attachment to the Republic, advocated the exension of equcatiton liberty of the Press, public meetings, and associations, payment of all public functions, mixed Arbitration Boards for settling differences between masters and men, industrial co-operative societies abolition of octrois, ten hours' work for adults, with eight for persons under 14, abolition of prison labour competitve with free labour, respect for property and vested rights, co-operation of artisans with the other sections of democrats, &c. Now, objection may obviously be taken to some of the points in this programme, but its fundamental principle is that workingmen should trust to their own efforts, not to the State ; to argument, not to force, and the Government shows its wisdom in allowing subversive ideas free expression, for daylight and discussion are fatal to them. Mr. Rochefort has probably a glimmering of this in disclaiming any wish to enter the Chamber. His influence there would be *nil*, and even outside it promises to be very small. France has materially altered in his absence. A free Government can afford to be indifferent to the epigrams which irritated the Empire ; and unless M. Rochefort can adapt himself to the new circumstances, he will ultimately discover himself to be an anachronism.

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